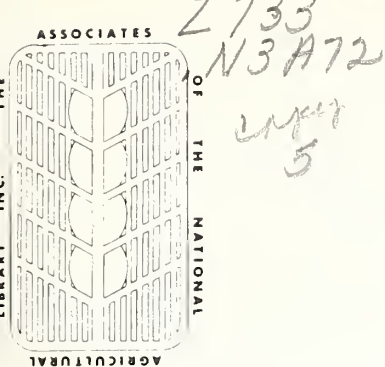


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# JOURNAL OF NAL ASSOCIATES

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LABOR AND AMERICAN AGRICULTURE

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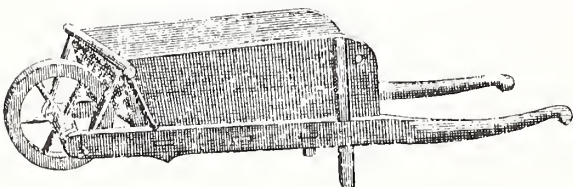


During the past three years, each of the issues of the Journal of NAL Associates has been devoted to such single topics as the following: "Women in Agriculture" (1977); "Agriculture and the American Indian" (January/June 1978); "Forestry and Agriculture" (July/December 1978); "Energy and Agriculture" (January/June 1979), and "Labor and American Agriculture" (July/December 1979). Interesting issues in preparation for 1980 include such topics as "Technology, Nutrition, and the American Food Supply" and "Aquaculture and the American Food Supply."

The question has been asked why we use the thematic approach to journal issues. By devoting each issue primarily to a single topic, it is the editorial staff's intention to sharpen the focus on and provide an in-depth look at special areas of our agricultural experience. Throughout this process, the advice and counsel from individual members of both the Advisory Editorial Board and the Associates of NAL have been utilized on numerous occasions. For example, the journal's recent title change from Associates NAL Today to Journal of NAL Associates was the result of a thoughtful recommendation from a member of the Advisory Editorial Board and was approved at a regular Board meeting. Another recommendation was made at the last regular Board meeting to develop a column on services, information, and activities emanating from the Technical Information Systems (TIS) which consists of the National Agricultural Library and related automated information systems. Hopefully, this idea will be implemented soon. In addition, input from the contributing and departmental editors has added substantially to the content of the journal. The work that goes into preparing each issue is still done on a volunteer basis at night and on the weekends.

Looking towards the future, the Associates need more than your continued and/or increased financial support. We welcome your suggestions and ideas regarding possible future themes, guest editors, and individuals to write the supporting articles. Proposals for symposia as well as for new individual and institutional members would also be appreciated.

The Associates of NAL, Inc. is a rather unique, successful, support organization in the area of agricultural information. On behalf of those who work with the journal, I would like to thank you, the reader, for your continued and active interest.



("Outils" from *Encyclopedie Methodique* . . ., 1802)

Alan Fusonie  
Associate Editor



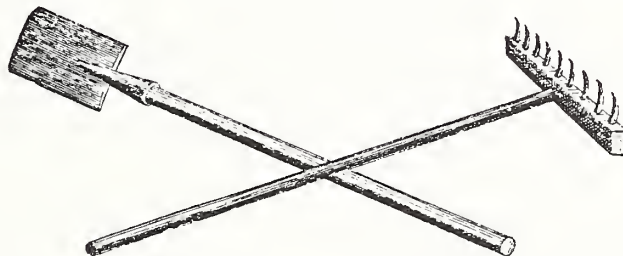
## FOREWORD

Early in the development of the world's food supply, man's labor included fishing, hunting, and gathering of food necessary to sustain him. By 1790, progress in creating a food supply depended upon the amount of back-breaking labor that a family was willing to perform. In the forested regions of the colonies, it took about one year to clear three acres of woodland and about 10 to 15 years to develop a commercial type of farm operation.

Today, American agriculture has become more specialized and more productive and includes a more sophisticated labor force inclusive of the following: farm managers; migrant workers; ranchers; organic farmers; wheat growers; livestock producers; part-time farmers, and others. With the breakthroughs and improvements in science and technology, fewer people are needed to produce the necessary food and fiber for domestic consumption and foreign export. Both the holdings and on-line services of NAL should prove useful to researchers examining and analyzing the development of agricultural labor in the United States.

Again, I compliment the Associates of NAL, Inc for bringing together an interesting issue on the subject of agricultural labor.

Richard A. Farley  
Deputy Director for  
the Technical In-  
formation Systems



("Outils de Jardinage" from  
*Encyclopedie Methodique* . .  
. , 1796-97)



As today's energy prices continue to rise, farm owners, just as everyone else, find themselves hard-pressed to meet expenses. Capital investment in a large piece of equipment can often run as high as the price of a new home. The cost of operating such expensive equipment eats away at farmers' limited profits. Growers are beginning to look for alternatives to these rising costs. Newspapers are increasingly filled with articles on items such as conservation, solar energy, and gasohol. But there remains an additional alternative more and more farmers may turn to in times of energy shortfalls, that is, the return to intensive use of agricultural labor in the cultivation of America's crops.

The use of labor in raising crops has a rich and varied tradition in the history of U.S. agricultural development. In this issue of the *Journal of NAL Associates* we examine that segment of the American population involved in agricultural labor. With the establishment of the original thirteen colonies in the New World, farmers were confronted with a condition few had experienced in Europe - a chronic shortage of labor. Setting foot in a vast, underpopulated, and fertile land, farmers could shape the land into whatever productive units deemed most useful. Citizens of the northern colonies began dividing their landholdings into sizes small enough to be worked by a single family and, perhaps, the help of a hired hand. To the south, the American colonies were experiencing an augmentation in size within some of its landholdings so great as to force growers to turn to slavery to ensure a steady supply of labor.

While technological development of labor-saving equipment served as a prime impetus to increasing agricultural efficiency, labor has continued to be an integral component of the production process. Sources of labor have been sought and found from various population groups over a period of time, from indentured servants and slaves, to Asian immigrants and, most recently, to Mexican and Mexican-American workers.

The papers in the *Journal* explore a variety of issues concerning agricultural labor - from labor legislation and collective bargaining to productivity of workers within a specific industry. A review of the history of factors affecting agricultural labor can provide insights into the course of movements in labor and methods of utilizing labor effectively today in the face of rising costs of alternative production resources.



# COLLECTIVE BARGAINING IN AGRICULTURE:

## THE CURRENT STATUS

BY

KAREN S. KOZIARA\*

Agriculture is a major United States industry in terms of number of employees, number of producers, and essentiality of output. It is also an industry in which collective bargaining has been rare. Among the explanations for the low levels of unionization in agriculture are the seasonal, and sometimes migratory, nature of the labor force, and employer opposition to collective bargaining due to the competitive nature of the industry and fears of harvest strikes. Another factor inhibiting unionization has been the general lack of public policy protections for collective bargaining such as those provided for most workers under the National Labor Relations Act (NLRA).

The last few years, however, have seen a definite upsurge in agricultural collective bargaining. This paper describes the current status of collective bargaining in agriculture. This description includes the extent of organization, the structure and strategy of agricultural bargaining, and important bargaining issues.

### Background

When the United Farm Workers of America began organizing in the early 1960's, there were only a few collective bargaining relationships in agriculture. Workers at Seabrook Farms, in New Jersey, were represented by the Amalgamated Meat Cutters and Butcher Workmen; workers at Bud Antle, Inc., a major California lettuce grower, were represented by the Western Conference of Teamsters (WCT) and virtually all Hawaiian agricultural workers were represented by Local 142 of the International Longshoremen's and Warehousemen's Union. The UFW, led by Cesar Chavez, began its organizing efforts in the early 1960's. These organizing efforts resulted in collective bargaining contracts with ten California wine-grape growers during 1967 and 1968.

There are several explanations for these UFW successes. One is that the UFW recognized the many difficulties inherent in organizing agricultural workers and carefully developed unique tactics to overcome these barriers. For example, the UFW made extensive use of boycotts in obtaining their initial contracts. Boycotts are infrequently used by the American labor movement because they are difficult to implement and their impact is unpredictable. The UFW, however, used boycotts because of the limited effectiveness of strikes due to geographic dispersion of workers, easy availability of striker replacements, and lack of legal protections for striking workers. Another explanation is that the 1960's, and the public's interest in and support of liberal causes, provided the climate necessary for the UFW to be successful.<sup>1</sup> Collective bargaining in table-grapes followed several years later. As in wine-grapes, boycotts were used by the UFW to establish bargaining relationships with growers.

UFW's successes aroused the interest of the Teamsters in organizing farm workers. At the same time some growers, looking for an alternative to UFW philosophy, tactics,

and administrative methods, became interested in having the Teamsters represent their workers. The resulting jurisdictional conflict between the Teamsters and the UFW, accompanied by extreme hostility and even violence, lasted for almost a decade. By the end of that period, the Teamsters were the agent for most of the established bargaining units. The UFW had only a handful of collective bargaining contracts, and its institutional stability and survival were severely threatened.

### Current Extent of Organization

Passage of the California Labor Relations Act (CALRA) in 1975 was the beginning of a new era in agricultural labor relations. CALRA is closely modeled after the NLRA; it protects the right to collective bargaining and provides for resolution of representation questions through secret ballot elections. It has some provisions, however, which provide even more protections for unionization and collective bargaining than does the NLRA. For example, CALRA's secondary boycott restrictions are less stringent than those in the NLRA.

CALRA had an immediate impact on the Teamster-UFW jurisdictional dispute. The law required elections before union certification as a bargaining agent, and employers were not permitted to bargain with uncertified unions. The election requirement was most beneficial to the UFW. In elections through early 1977, the WCT won 39 while the UFW won 151, including many in established WCT bargaining units.<sup>2</sup> Its poor showing in these elections, plus the bad publicity over its role in the jurisdictional dispute and threatened UFW damage suits for violence, all helped prompt the Teamsters to sign a jurisdictional agreement with UFW in March, 1977.

Between CALRA's enactment and November, 1978, there were 768 elections. In only 40 of those elections did the worker vote go against union representation. In the other elections, the UFW won 265, the WCT won 39, while unions classified as "other" won the balance of the elections. Most of the "other" category elections were won by the Christian Labor Association, an organization which has traditionally represented workers in dairy operations.<sup>3</sup>

By the end of 1977, UFW had about 30,000 members.<sup>4</sup> Although UFW represents a wide cross-section of California's agricultural workers, including people in flower raising and egg operations, membership is concentrated in fruits and vegetables, particularly lettuce, grapes, and row vegetables. It also has between 1,000 and 2,000 members under contract in Florida's citrus groves owned by the Coca-Cola Company, producer of Minute Maid products. Florida, like most states, does not have legislation protecting the right of agricultural workers to engage in collective bargaining. However, the Coca-Cola Company is highly visible and, thus, vulnerable to boycott pressure.

The numbers of field workers represented by the Teamsters is declining due to election losses and the jurisdictional agreement with UFW. The WCT will probably lose from 10,000 to 20,000 members due to the jurisdictional agreement. However, they will still represent some workers in row crops and dairies in California, as well as a few agricultural workers in Arizona. Local 142 of the International Longshoremen's and Warehousemen's Union has as members about 90 percent of Hawaii's agricultural workers. It represents about 7,500 sugar workers, 4,500 pineapple workers, and a few hundred workers each in macadamia nut and papaya operations. There have been several other recent efforts to organize agricultural workers. The Texas Farm Workers Union has attempted to organize workers in Texas and the Asociacion de Trabajadores de Puerto Rico, which merged with UFW, has organized in Delaware, New York, New Jersey, and Connecticut. These efforts have not yet resulted in collective bargaining contracts.

There are two recent instances of farm worker organizations using strikes to get wage increases. In early 1978, the Maricopa County Organizing Project, which is not a union, won increased wages for about 2,500 Arizona

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citrus workers. In late 1978, the United Migrant Association obtained wage increases for about 9,000 Florida citrus workers. There were also efforts by the Farm Labor Organizing Committee to organize Ohio tomato workers in 1978. It would not be surprising if there were to be more efforts such as these in the near future.

### Current Status of Collective Bargaining

Bargaining Structure. Several alternative bargaining structures already exist in American agriculture. Negotiations can be conducted with single employers, with multiemployer units, or with a primary grower while other growers attend bargaining sessions and use the resulting agreement as a key settlement.<sup>5</sup>

UFW prefers multiemployer bargaining. Although California law requires that only single employer bargaining units be certified, there has been some movement towards multiemployer bargaining with mutual consent of growers and UFW. Most of UFW's currently signed contracts, however, have been bargained with individual growers.

Multiemployer bargaining in agriculture will probably grow. For unions, it reduces the number of negotiations. For growers, it lessens negotiating costs, enables cooperative use of consultants, and provides whipsaw strike protection. For both parties it can stabilize wages over one industry segment.

However, crops from different regions are harvested and marketed at slightly different times. There are resulting differences in cost and pricing that lessen the likelihood of interregional multiemployer bargaining. Multiemployer bargaining will probably be limited to a given growing region, particularly since many of agriculture's grower-shipper and cooperative arrangements which provide a natural basis for multiemployer bargaining are similarly limited. Alternatively, multiemployer units could include growers from more than one region, with a master contract supplemented by local issue provisions.

Bargaining Tactics. Because it has found it difficult to implement effective strikes, UFW uses other forms of pressure. Particular tactics used vary depending on the involved grower's vulnerability and they include boycott threats, letter-writing, and phone-call campaigns, and sometimes actual boycotts. However, UFW use of strikes will probably increase as their institutional strength and control over the labor force increases. In contrast, Local 142 relies on strikes and strike threats as its major bargaining weapon. However, it times strikes for seasonal low periods rather than for seasonal peak periods. This strategy results from lessons learned in one of the union's earliest strikes. Because the strike was called for a seasonal peak period, many temporary workers were employed. They had less commitment to the union than did the permanent workers, and they undercut the strike. The Teamsters use strikes and strike threats to back up bargaining demands. Unlike the UFW, WTC has bargaining leverage provided by their representation of trucking and cannery workers.

Growers usually respond to collective bargaining by attempting to avoid it, gradually accepting it, and finally working at developing good bargaining relationships. Most California growers are currently at one of the first two steps, with some making progress towards the third. Advances to a new step occur when the cost of remaining at the current stage becomes too high. Avoidance was characteristic of most California growers until the very recent past. Tactics used included threats, ejection from grower-owned housing, requests for government help, strikebreaker recruitment, and refusals to negotiate.

Growers at the stage of acceptance of collective bargaining realize that it is inevitable, but hope to limit its effects and even to outlast it and return to a non-union state. They use tactics such as shifts from labor-intensive crops, delayed and drawn out negotiations, and even unfair labor practices to limit the impact of collective bargaining. Growers in a more advanced stage

of acceptance realize that collective bargaining is inevitable and perhaps even permanent, and that developing a good collective bargaining relationship will be useful for production and employee relationships. Growers who arrive easily at this stage typically are part of conglomerates, vulnerable to boycott pressure, and experienced with unions in other areas of their operations. Independent operators who have had little exposure to collective bargaining, and who identify closely with their growing operations, appear to have the most difficulty reaching this stage. Employers reaching the later stage of acceptance express it through attitude as much as through explicit practice. Behavioral indications of acceptance include daily cooperation with the union, educating supervisors in sound personnel practices, and good faith bargaining. CALRA has undoubtedly encouraged grower acceptance of bargaining. In similar fashion, the Hawaii labor relations law, which covers farm workers, has helped foster acceptance of collective bargaining.

### Bargaining Issues

Contracts in agriculture have many similarities to those in most industries in that they include union security and management rights provisions, wage and effort bargains, individual security clauses, and the outline of contract administration and the grievance procedure. As in most bargaining relationships, economic issues are usually the ones of utmost importance in agricultural bargaining. In addition, hiring halls and union, rather than grower-based seniority have been difficult issues in UFW negotiations.

One reason that hiring hall arrangements have been a major bargaining issue is that they change labor market operations significantly. Many growers use labor contractors to supply seasonal workers before collective bargaining. Hiring halls put the burden of performing all employer functions on growers themselves, rather than on labor contractors. Growers also have complained about inefficient hiring hall administration. The hiring hall, however, is important to UFW because available jobs go to union members. It also builds worker attachment to UFW, rather than to growers or labor contractors. Thus, it is an important and controversial bargaining issue and one that UFW tries to include in most contracts.

Seasonality presents agriculture with some special problems. Current contracts handle some of the problems inherent in a seasonal work force by making benefit levels contingent upon hours worked. Current contracts do not contain restrictions on mechanization, and this may be a future negotiations issue. Mechanization is increasing rapidly in agriculture, and has the potential to reduce the demand for field workers significantly. In addition, Local 142 is facing declining employment due to the movement of agricultural production to the Far East. Technological change and industry relocation have created serious collective bargaining problems in many industries, and may become a troublesome issue in agriculture as well.

### Conclusions

Although agricultural collective bargaining is still in its fledgling stages, there are several evident generalizations that can be made. First, it is very similar to collective bargaining in other industries in terms of processes, structures, and issues. And, as in other industries, the early adjustment stage of bargaining is often marked by strained relationships between labor and management. In other industries, these early relationships have become more cooperative over time. One would assume that this same evolution will occur in agriculture, and there are some examples of it happening.

Second, there is considerable interest among agricultural workers in unionization. Evidence of this is the very high proportion of CALRA elections in which workers choose to have union representation. In addition, although the UFW has cut down on organizing efforts in order to concentrate on negotiating new contracts, work-

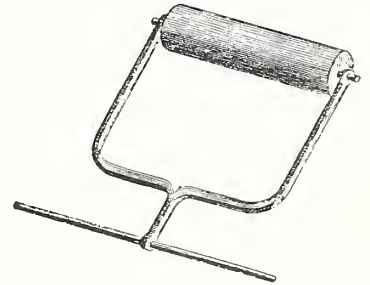
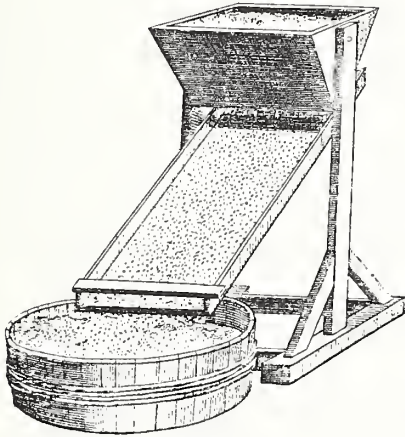


ers in other states are organizing. There is little reason to expect these efforts to stop. Their impact, however, may be limited by a lack of legal protections such as enjoyed by workers in Hawaii and California.

The next decade will be an exciting and important one for agricultural labor relations. It will be a period of adjustment to collective bargaining for both growers and workers. There will probably be more organizing efforts outside of California. These efforts will raise the question of what types of public policies should regulate collective bargaining in agriculture, increasingly thrusting the problem of agricultural labor relations into the arena of political decision-making.

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5. Analysis in this section based on interviews with growers, grower representatives, union officials, government officials, representatives of other involved organizations, and arbitrators, in 1976, 1977, and 1978.



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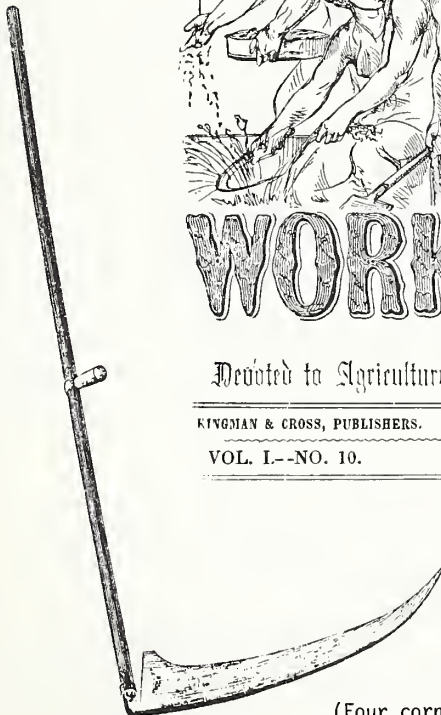
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## AGRICULTURAL LABOR LEGISLATION

### IN THE UNITED STATES:

#### A REVIEW OF THE MAJOR NEW DEAL LEGISLATION, THE EMERGENCY FARM LABOR SUPPLY PROGRAM, AND THE AGRICULTURAL LABOR RELATIONS ACT OF CALIFORNIA

BY

TOM FULTON\*

Farmers across the United States are asserting that they cannot be expected to continue viable operations while facing the rising costs of their inputs. For example, the costs of irrigation, farm machinery, fertilizer, and labor are rising ever higher whereas, farmers maintain, the price of foodstuffs they sell at the marketplace does not provide them with enough of a margin of profit to continue in operation. In regard to labor, farm owners and operators affirm that there exists a chronic shortage of workers who are willing or capable enough to help in the production and harvest of valuable crops. Too often, farmers complain, they are forced to secure workers on a day to day basis, unsure if they will have enough help at a crucial moment to successfully complete the harvest of their crops. Farm owners insist that in order to ensure a successful harvest they are forced to ruinous wage levels or to increased dependence upon mechanization. This, in turn, can be more expensive to the farmer. For instance, the cost of some machinery has doubled or even tripled in the last 15 years. Some crops that made heavy demands on agricultural workers, such as cotton production, are now nearly all given over to mechanization. Converting to mechanization can be a very expensive proposition which, in turn, forces the smaller or less productive farmer into an even greater price squeeze. Often, in addition to the situation in the labor market place, farmers assert that federal legislation governing agricultural labor is often slanted to their disadvantage.

There are three areas of major agricultural labor legislation covered by this paper: (1) that corpus of laws enacted during Roosevelt's term grouped under the heading, New Deal Legislation; (2) the Emergency Farm Labor Supply Program of 1942 and its successor Public Law 78; (3) the California Agricultural Labor Relations Act. These legislative areas indicate that farm workers have not, until just recently, fared very well in their relationship with the government or with farmers.

From the very beginning of settlement in North America, public attention has focused on the rights and privileges of land ownership. For instance, the deed of property was often the necessary prerequisite to the right of suffrage. Our history books are filled with vivid descriptions of a sturdy yeoman stock wrenching a living space from the wilderness. Indeed, the Jeffersonian principal of a class of independent farmers deriving their democratic ideals from a close proximity to the soil caught the imagination of citizens as well as the government. All too frequently, history books fail to mention that in many cases it was an indentured servant or slave who actually performed the task of opening new

areas of the continent to cultivation and productivity. In many instances, it was an individual with no legal rights of ownership who cleared the farmstead or plowed the fields. In a country with an abundance of land, a small population, and a government anxious to fill a void, thousands of farmers sought to augment their families' efforts with hired hands, indentured servants, or slaves.

These are statements that run counter to popular American thought. Somewhere in the national consciousness is the image of millions of Americans arriving in this country as simple farm laborers and being suddenly transformed into the epitome of the Jeffersonian ideal. Millions immigrated to the United States believing that they could move up an agricultural ladder based on the abundance of land. Immigrants often thought that by renting themselves out they might earn enough money and learn enough of American farming techniques to eventually rent or acquire a piece of land of their own. There were millions of immigrants who never left the cities and, hence, for them the dream of land ownership did not come true. There were also many who made it into the countryside and eventually migrated to the cities. Some, however, such as the Chinese, Japanese, and Filipinos faced such intense discrimination in their attempts at land acquisition that despite their best efforts they were forced, in large numbers, into the cities or back to their homeland. Some of these workers came to be perpetually on the move and part of a migrant labor stream.<sup>2</sup>

Government legislation affecting these migrant workers was largely non-existent through the nineteenth and into the twentieth century. The passage of several immigration acts helped to slow the torrent of people coming to the United States as well as to establish a force to patrol the nearly 2,000 mile long border with Mexico. Beyond the passage of these acts and even as late as the 1930's, little else in the way of federal legislation had even remotely served to affect the agricultural worker.

#### New Deal Legislation

Farm workers and agriculture as a whole were severely affected by the Great Depression. For farmers, newly elected president Franklin D. Roosevelt and a reform minded Congress worked to arrive at a law that would serve the needs of agriculture in the same way that the later National Industrial Recovery Act was designed to serve the needs of business. The solution arrived at was the Agricultural Adjustment Act of 1933. This Act, a combination of acreage reductions and price supports for certain commodities, was based on price levels received by farmers during a so-called "parity" period - the "golden age of the farmer" - from 1909 to 1914.<sup>3</sup> This constituted a major effort on the part of the federal government to ameliorate the plight of the farmer.

During those depression days, the federal government consistently refused to include the farm worker in the provisions of many of the laws that it was drawing up for the protection of industrial labor. One major piece of New Deal legislation, the National Labor Relations Act which was sponsored by Robert F. Wagner of New York, sought to provide, for the first time, the umbrella of federal legislation to workers to organize and bargain as a collective unit. When it became law, however, the Act specifically excluded agricultural workers:

The term 'employee' shall include any employee, and shall not be limited to the employees of a particular employer, unless the Act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, BUT SHALL NOT INCLUDE ANY INDIVIDUAL EMPLOYED AS AN AGRICULTURAL LABORER . . .<sup>4</sup> [Italics mine.]

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Agricultural workers were thus effectively separated by law from other workers. Federal provisions did not extend to them the rights of collective bargaining and representation. The exclusion was made by Congress with little in the way of public hearings, discussion, or debate.<sup>5</sup> In the hearings, reference to agricultural workers was almost parenthetical when they were discussed at all. No individual or agency came forth to represent them and, generally, the debate centered on the difficulties of enforcing such a law at the individual farm level. Although Roosevelt failed to support agricultural labor, several sources indicate that he was little concerned with the collective bargaining process itself.<sup>6</sup> The National Labor Relations Board, established through the provisions of the Act, chose to define the term "agricultural labor" as narrowly as it could to reduce the total numbers of individuals excluded from the provisions of the law. Agricultural workers were interpreted in such a way as to exclude only those workers who performed field work. Included under the provisions were workers from the packing sheds and on up the agricultural production line.<sup>7</sup>

Had the Act been extended to agricultural workers, farmers would have faced the dilemma of coping with labor union demands as well as the uncertainties of the weather. J.D. Hays, president of the American Farm Bureau Federation, was still making that point in 1968 when, in a letter to Senator Lister Hill, as a result of a proposal to extend the coverage of the NLRA to include farm workers, he stated that:

The first point I would like to make in this connection is that it is not possible to close down a farm to sit out a strike. A fruit or vegetable farmer can lose a year's income plus a substantial capital investment if he cannot harvest a crop. A dairyman has to milk his cows twice a day and if he is unable to do so his cows suffer irreparable damage. The farm production cycle is generally fixed by the calendar and the laws of nature, and if delayed or interfered with beyond narrow time limits, will bring financial ruin. Thus farmers are uniquely vulnerable to control of their labor supply by a union.<sup>8</sup>

The position of the American Farm Bureau Federation had remained fixed. Anti-union forces maintained that when a factory was struck by a union the business simply closed down incurring little loss other than missed deadlines. The farmer, however, faced the destruction of an entire year's production if he could not get his commodities in during critical harvest periods.

While agricultural workers were being excluded from the provisions of the National Labor Relations Act, they were also being excluded from the benefits of the Social Security Act of August 14, 1935. The Social Security Act, also laid before Congress by Robert F. Wagner, provided for unemployment insurance which was to be handled by the individual states but supported by a federal tax on business and industry payrolls.<sup>9</sup> The director of the Economic Security Committee, Edwin Witte, whose committee had drafted considerable portions of the proposed legislation, stated:

... the committee apparently was influenced less by the difficulties of administration than by the fact that it was felt that the farmers would object to being taxed for the old age insurance protection for their employees.<sup>10</sup>

Other New Deal legislation that could have had great impact on the material well-being of farm workers included the Fair Labor Standards Act. Also known as the Wage and Hour Law, the FLSA was enacted by Congress on June 25, 1938. It established a maximum work week of 44 hours the first year, 42 hours the second year, and a maximum of 40 hours worked per week without overtime. A

minimum wage for workers was also established at 25¢ per hour the first year, 30¢ for the second, and a gradual increase to 40¢ an hour over the next six years. A new Wage and Hour Division was established within the Department of Labor to ensure compliance with the provisions of the law which also limited the work, in hazardous occupations, of youths between the ages of 16 and 18.

Congress based its authority to provide this coverage and protection to workers on its historic right to govern acts of interstate commerce. Agricultural workers were originally excluded from this social legislation which could have been extremely beneficial to them. There were at least two reasons for the unwillingness of Congress to extend coverage to agricultural workers. In the first place, farmers argued that they simply did not have the sort of financial resiliency needed to pay workers at some sort of federally established base wage. Farmers maintained that they often provided much more to their workers in the way of food and shelter, sometimes in the farmer's home itself, than was the case with industry and that these factors had to be taken into consideration. In the second place, Congress was extremely reluctant to enact legislation governing anything not clearly involved in interstate commerce.<sup>11</sup>

All in all, these major pieces of New Deal legislation demonstrate that farm owners and operators had the understanding of Congress in dealing with agricultural workers. Congress had definitely indicated a willingness to assist the farmer through the hardships of the Great Depression. Congress would shortly be called upon by farmers to ensure the ready supply of agricultural workers to harvest the field crops. As the 1930's came to an end, a dawning realization began to sink into the American consciousness that a new threat to world peace had risen in Europe.

#### The Emergency Farm Labor Supply Program

The Emergency Farm Labor Supply Program, or *Bracero* Program, as it came to be called began in 1942 as a result of wartime pressures on domestic manpower. As World War II grew in intensity, industry and agriculture in the United States geared up to meet the increased demand. Where a labor surplus had existed just a few years earlier, war-related industries such as the burgeoning aircraft industry began siphoning off agriculture's labor reserves.<sup>12</sup> Soon producers of especially labor-intensive crops in the South and Southwest complained to their state agencies that workers were migrating northward in response to reported higher wages. After the Japanese bombing of Pearl Harbor and American entry into the war, the drain on agricultural labor pools intensified. Farmers and their supporters repeatedly emphasized their own importance to the war effort and the necessity for securing an adequate labor force. In April 1942, a federal interagency committee comprised of members of the Departments of Agriculture, Labor, Justice, State, and the War Manpower Commission, was formed to investigate claims of farm labor shortages and recommend solutions that might be required on the federal level.<sup>13</sup> One solution that emerged, and which farmers supported, was the temporary importation of foreign nationals to do farm work.<sup>14</sup> Organized labor had voiced serious objections to the importation of Mexican laborers since World War I because many of the workers had vacated their rather rigorous farm and railroad construction jobs for easier and higher paying city jobs. While they dropped their opposition in order to support the American war effort, their cooperation was based on the understanding that workers from both the United States and Mexico should be protected by active governmental support and that any Mexican workers should be returned to Mexico as soon as hostilities ceased.<sup>15</sup>

The interagency committee established at the behest of the California Field Crops Association certified the need for at least 6,000 agricultural workers. On May 29, 1942, Attorney General Francis Biddle agreed to the importation of 3,000 Mexicans under contract to the California Association. He stipulated that all worker importations should be covered by a \$6,000. bond and that

the organization must comply with the interagency committee recommendations. The plan was never enacted because of Mexico's declaration of war on the Axis powers on June 1, 1942. Instead, Attorney General Biddle turned the matter over to the Department of State.<sup>16</sup>

The Department of State hesitated to tamper with the delicate strings of good will that had been fostered under the Roosevelt administration. Years of anger and embarrassment on the part of Mexico predicated by the overt use of "Dollar Diplomacy" were finally being surmounted by American gestures of friendship and cooperation.

State Department officials also recognized problem areas within the United States that might upset the delicate framework of cooperation that had risen between the two countries. Mexicans within the United States had long been subject to discrimination. In rural areas of the Southwest, specifically, Mexicans faced possible mental and sometimes physical abuse at the hands of white inhabitants. State Department officials realized that Mexico would no longer tolerate the abuse of her citizens in the United States. After July 1942, in accordance with America's all-out war production efforts and, despite their own misgivings, the State Department agreed to forward the Attorney General's request to the American Ambassador to Mexico, George Messersmith.

Prior to the State Department's request, Mexican President Avila Camacho had second guessed American intentions and had ordered the creation of a Mexican interdepartmental committee on May 4, 1942, to formally study the ramifications of a large-scale out-migration of Mexican agricultural workers.<sup>17</sup>

The Mexican government, for its part, was not overly supportive of any plan that called for the removal of large numbers of its nationals to work in a foreign country. Earlier migrations of Mexicans to the American Southwest had ended with catastrophic results when the Depression increased American desires to have thousands of destitute Mexicans repatriated to Mexico, often at the expense of the Mexican government. Furthermore, Mexican authorities believed that grower claims of labor shortages were ill-conceived contrivances to reduce wage levels in the farm sector. A Mexican official stated:

We know that this is only an attempt to hold down wages of Mexican agricultural workers who live in the United States; and I feel sure that before my government agrees to any movement of agricultural workers to the United States, the restrictions placed on the movement including transportation, wage contracts, and cash bond to insure the safe return of workers to Mexico, and the carrying out of all terms of the contract will make the terms prohibitive to the people who are trying to hold down wages. We have recently spent several millions returning 25,000 workers to farms in Mexico, and we will not soon forget this experience.<sup>18</sup>

The Mexican committee evaluated the pros and cons of exporting labor to the United States. The following four reasons for not exporting that labor immediately were put forth: first, Mexico questioned the U.S. contention of an acute labor shortage in the agricultural sector; secondly, she realized that a repeat of the repatriation of thousands of Mexicans during a depression would be unacceptable to the Mexican people; thirdly, the issue of discrimination concerned Mexican officials who doubted that a hundred years of conditioned responses would be changed solely because of a crisis; fourthly, there was the distinct possibility that the removal of a large number of Mexican workers might seriously impair Mexico's own recovery efforts, especially with increased orders for agricultural produce coming in from the Allied nations.<sup>19</sup>

In contrast to the negative aspects, the Mexican interagency committee recognized four positive aspects to the

exportation of *braceros* to the United States. First, the United States promised to take a strong position overlooking the entire agreement. It was recognized that the U.S. would not simply initiate negotiations and then back away from the deal, forcing individual workers to deal with individual growers or their contractors. Secondly, Mexico saw advantages to her own agricultural system in allowing workers to move temporarily to the United States. Once there Mexican workers could learn from the advanced level of technology of American agriculture. In general, government officials in Mexico felt that Mexican agricultural techniques would be enhanced with the application of scientific farming as practiced in the United States. Thirdly, as Mexico had declared war on the Axis powers, this offered a concrete way of contributing to the Allied war effort. Finally, Mexican officials realized that with the powerful economic incentives already at work in U.S. Southwestern fields, many of her nationals would be drawn northward regardless of governmental approval. With governmental control, a larger percentage of the revenue earned by such workers would find its way back into Mexico. As an adjunct to the worker question, Mexican officials did not want to antagonize the United States for fear that spending for Mexican raw materials would be curtailed.<sup>20</sup>

In July, Secretary of Agriculture Claude Wickard, while attending the Second Inter-American Conference on Agriculture in Mexico City, met with Mexican officials to discuss the worker importation program.<sup>21</sup> After explaining Mexico's reservations concerning such workers and receiving Secretary Wickard's guarantee that the American government would play an active role in the importation of workers, Minister of Foreign Affairs Ezequiel Padilla agreed to a trial period after the formulation of principles.

Padilla insisted that instead of having contracts between growers and workers supervised by the United States, the U.S. act as the employer and that American farmers act as subcontractors with all responsibility assumed by the U.S. government. This, the Foreign Minister believed, would act as an insulator for workers against any discrimination. Padilla also insisted that the U.S. government, through the Farm Security Administration of the Department of Agriculture, conduct the recruitment of *braceros* in Mexico rather than the individual contractor. Padilla had originally intended that Mexico recruit workers but was prohibited from doing so by the Mexican Constitution which explicitly forbade the government from recruiting workers for employment outside of Mexico. The Mexicans also stipulated that at least a part of the worker's wages should be withheld for deposit in the agricultural credit bank of Mexico.<sup>22</sup>

The provisions of the Emergency Farm Labor Supply Agreement fell into two general areas. The first consisted of four parts, under the general rubric of "General Principle" which stated that Mexican workers would not be discriminated against, that they would not be used to lower the prevailing wage rate of an area, that Article 29 of the Mexican Labor Law would be written into all contracts and, finally, that under the provisions of the program Mexican nationals working in the United States would not be subject to conscription into the U.S. Army.

The second part of the agreement dealt with the specifics of wages, deductions, numbers of workers, transportation, and the outline of the contracts. In the area of wages, the Mexican government insisted, and the United States concurred, that wages would be paid at the prevailing rate and should never fall below 30 cents per hour. Piece rates, wages paid for work done by the piece (30 cents for a crate of tomatoes, for example), were required to meet or to exceed the region's prevailing wage rate for farm labor. Those workers who found themselves unemployed through no fault of their own were to receive a subsistence of food and \$3 a day for every day beyond the initial 25 percent of their contract period that they were unemployed. Workers unemployed for part of the first 25 percent of their contract period were to receive meals commensurate with those provided on the same basis to native-born workers. These subsis-



tence payments for unemployment were subject to review as cost of living increases warranted. Deductions, consisting of ten percent of the workers' wages, were deposited in a savings account at the Agricultural Credit Bank of Mexico. It was agreed that workers so inclined could use these funds for the purchase of American agricultural implements secured by the Farm Security Administration.

The numbers of workers needed in the fields was to be determined from applications to the Farm Security Administration by farmers or their representatives. This agency would then notify the Mexican government of its intentions to begin recruiting activities. When the Mexican government was so advised, it would then determine the number of workers that it felt it could spare from the national work force and recruiting activities could begin.

The transportation of workers was to be paid in full by farmers through the Farm Security Administration. Contracts entered into were between the worker and the government of the United States as the employer. They were to be printed in Spanish and English and were subject to the approval of the Mexican government in all cases. The U.S. government then subcontracted the *braceros* out to individual farmers or to grower organizations. In all cases of dispute between *bracero* and farmer, the federal government was legally compelled to intercede as the primary employer.

Medical care and housing provisions were also written into the agreement though, like the prevailing wage provisions of the agreement, they were vague and indeterminate. Housing and medical care available to workers in America varied considerably. Some areas provided neither health care nor housing while others took on wide responsibilities in these areas. The Mexican government, by linking these factors to the "prevailing system," seriously clouded the standards it desired for its nationals. In fact, when the Mexican government demanded that guarantees against occupational diseases and job-related accidents for its nationals be the same as those enjoyed by American farm labor, it effectively cut out those rights and privileges for its own workers. At that time, 99 percent of America's farm workers enjoyed neither.<sup>23</sup>

The *Bracero* Program could be terminated by either side upon a 90 day notice. No notice of termination, however, was given by either side for the entire course of World War II. From its effective date of August 4, 1942 until the end of that year some 4,000 *braceros* gained entry into the United States. From 1942 until 1947, the years that the original Emergency Farm Labor Supply Program was in effect, 219,546 or over 70 percent of 309,538 foreign workers imported for the program came from Mexico. The other 30 percent came from similar agreements arranged with Canada, the Bahamas, Jamaica, Barbados, Newfoundland, and British Honduras. Mexican workers during this period earned a reported \$205 million.<sup>24</sup>

After the cessation of hostilities in 1945, farmers in the United States convinced the government that due to the unbalanced nature of world markets, there remained a need for the Mexican worker. His presence in the United States had become institutionalized. The Emergency Farm Labor Supply Program was succeeded in Congress by the passage of public laws designed to insure the grower an adequate supply of labor. With Mexico's acquiescence, the U.S. continued to import Mexican workers under the provisions of Public Law 78 and its amendments until December 1964. From 1960 to 1962, 598,458 individual contracts were issued for *braceros* in the states of California and Texas. (Texas had, by this time, convinced the Mexican government that it would not be party to acts of discrimination against Mexicans).<sup>25</sup> Not until mechanization reached agricultural producers on a large scale were growers willing to give up the labor supply of Mexican workers they had utilized since 1942.

Congress and Americans gradually have increased their awareness of the special problems migrants and other agricultural workers face especially in California. Allowing Public Law 78 to expire may have been in response

to depressed rural wages and allegations of unfair competition faced by domestic workers from the importation of foreign workers. Additional federal initiatives such as amendments to the Fair Labor Standards Act and the Social Security Act have substantially increased benefits to U.S. agricultural workers. By January 1978, the minimum wage paid to farm workers on farms employing more than 500 man-days of labor per year increased to a rate equal with that of non-agricultural workers for the first time.<sup>27</sup> Enactment of the Farm Labor Contractor Registration Act, and regulations governing farm safety and health under the Occupational Safety and Health Act, as well as education and health programs for migrant families have gone a long way toward improving farm worker conditions. The major concern of farm workers remained their lack of a legal right to collectively bargain with their employer. The initiative for this right came in California.

#### California Agricultural Labor Relations Act

The conflict in the 1970's between two unions - the International Brotherhood of Teamsters and Cesar Chavez's United Farm Workers (UFW), a part of the AFL-CIO - served graphically to illustrate the power wielded by grower interests in the California legislative system. Even before the conflict between the Teamsters and the UFW bloodied California's fields, grower antipathy to the formation of unions among agricultural workers was apparent.

During the 1970's, the Teamsters moved into the fields, adding to the confusion. Long in control of the packing sheds and trucking phases of agricultural production, Teamsters began organizing field workers. They contended that such actions constituted an effort to protect their canning and trucking contracts. The UFW, on the other hand, claimed that Teamster intervention was unfair because growers and Teamsters maintained a close relationship and often agreements between the two were to the disadvantage of the worker.

Conflict between the Teamsters and the UFW hinged on the right of the employer to select and hire his own help. The Teamsters, unlike the UFW, were willing to allow the grower, or his representative, the latitude of selecting his own workers. The UFW, on the other hand, insisted that the grower utilize union hiring halls where potential employees would be chosen on the basis of seniority. These conflicting interests, evident at the employee-employer level throughout California, proved a major impetus for the passage of legislation governing the selection, by workers, of a union to represent them.

Early in 1975, Cesar Chavez and the UFW began gathering in Modesto, California, to protest the hiring practices of Gallo Brothers wines. Demonstrations of this sort, frequently accompanied by violence and the resulting national press attention, constituted the precise situation that Governor Edmond G. Brown, Jr.'s new administration in California had hoped to avoid. Elected the previous November, Governor Brown began immediately preparing a farm labor union recognition bill. With a substantial Democratic majority in the legislature, the Governor felt he had an excellent chance of securing passage of such a law,<sup>28</sup> although six other similar bills had failed.<sup>29</sup> He counted heavily on the fact that he had successfully maneuvered a bill forbidding the use of the short-handled hoe within the state. The law, upheld by the California Supreme Court, relieved workers of prolonged periods of stooping, often the cause or aggravation of spinal injuries.<sup>30</sup>

On May 11, 1975, Governor Brown presented the legislature with specific proposals regarding the extension of collective bargaining rights to agricultural labor. Two major provisions of the bill included the following: first, it required the use of the secret ballot in worker elections for selection of unions to represent them in the collective bargaining process; second, it permitted boycotts only under specified circumstances.<sup>31</sup> Secondary boycotts permitted unions to boycott businesses that continued to deal with the affected company. The bill banned "hard" secondary boycotts, that is, union attempts to physically prevent the delivery of a product

to the consumer.<sup>32</sup>

As the proposed legislation progressed through California's Assembly and Senate, forces in support and opposition mustered their resources for a prolonged battle. Chavez voiced opposition to the bill, claiming that the limitations on the secondary boycott, a tool the UFW used effectively against growers, severely hampered his union. The UFW further declared that the intended precept did not go far enough and, in several instances, it seemed to favor the Teamster and grower interests. UFW attacks, at this time, came in response to reported pressures by the Teamsters on the AFL-CIO to drop the UFW from its membership.<sup>33</sup>

On May 6, Governor Brown, bowing to UFW pressures, amended the limitations on the secondary boycott while retaining the provisions for secret ballot elections.<sup>34</sup> With the ease on secondary boycott restrictions, UFW opposition to the bill died. On May 7, Chavez announced his support of the Governor's proposed legislation. Joining in with their support were key agricultural leaders and top legislative representatives who, for their own reasons, no longer found the bill objectionable.<sup>35</sup>

Because of the state of uncertainty existing in the agricultural sector, grower representatives openly conveyed that they wanted to await the outcome of the legislative vote on the proposed farm labor law.<sup>36</sup> Growers believed that the bill could be so amended as to render it essentially ineffective. Suspended negotiations did occur in some instances as when the large Western Growers Association broke off talks with the Teamsters. Upset at the unsettled conditions, Teamster official Ralph Cotner threatened an industry-wide strike in California, Colorado, Arizona, and New Mexico if the labor bill passed.<sup>37</sup>

As a political pragmatist, Governor Brown realized that compromise and a great deal of negotiating skill was needed to bring about an agreement among the many diverse factions of commercial agriculture in California. Representatives of the Assembly, responding to pressures from the growers, Teamsters, and the UFW, voiced warnings to Governor Brown that the bill's passage was uncertain. California Assembly Speaker Leo T. McCarthy noted that certain ambiguities in the proposed legislation, specifically those passages dealing with union representation, had to be settled before the issue could be resolved.<sup>38</sup> In an unusual move, Governor Brown called for a special legislative session to deal solely with the agricultural labor question. He hoped for passage of the bill after agreement had been reached in the Senate Finance Committee.<sup>39</sup> The bill, if passed, would go into effect in the fall instead of in January of 1976.<sup>40</sup> On May 21, the bill won approval in the Senate Industrial Relations Committee.<sup>41</sup> Legislative sponsors hoped to edge the bill through the Senate Finance Committee and onto the floor of the Senate during the special session.<sup>42</sup> The bill, after its passage through the Senate on May 26, made its way to the Assembly Labor Relations Committee where it passed by a wide margin. On Tuesday, May 27, the Assembly began debate<sup>43</sup> and, three days later, passed the nation's first agricultural labor relations act. Passage of the bill allowed its implementation in time for the fall lettuce and grape harvest, a major concern to both unions.<sup>44</sup> Governor Brown optimistically stated:

[It's] a major step forward . . . a real milestone . . . . It's something people have been trying to achieve for decades.

[For the farmworkers] It's an opportunity for self-determination. It allows them the kind of economic tools they need to have their voices heard.

On the part of farmers, it allows them stability and predictability to grow their crops and market them. There have been strikes up and down the California agri-

cultural land for years. I think these things are now past in this country.<sup>45</sup>

Cesar Chavez and the UFW also viewed the legislation favorably. The UFW had been steadily losing ground to the Teamsters in terms of the number of dues paying members each represented. From a peak of nearly 63,000, dwindling union membership now totaled 15 work contracts representing 8,000 workers. Teamsters, on the other hand, claimed more than 400 contracts representing 65,000 farm employees.<sup>46</sup> The UFW believed that the secret ballot provisions for labor union representation would help offset cases of Teamster intimidation. They also placed confidence in the new Agricultural Labor Relations Board created by the Act to fairly arbitrate disputes between the two unions.

The UFW expected a resurgence in membership once the secret ballot provisions were implemented. With limited funds for recruitment or fringe benefits, the union depended, for success, on volunteer labor and a close knit, personal, organizational structure. The Teamsters, on the other hand, with several billion dollars in trust funds and a substantial staff of trained union organizers, argued that growers were more amenable to signing higher paying wage contracts with them than in negotiating at all with the UFW.

After its passage by the California legislative system, the Governor ordered the Act and its Board funded, initially, from a state Department of Agriculture's funding of five million dollars.<sup>47</sup> And, in order to launch the law under favorable circumstances, Governor Brown, through a marathon series of talk sessions, convinced UFW representatives, Teamsters, and growers to agree to an enactment of the bill.<sup>48</sup> On Thursday, June 5, 1975, Governor Brown signed the Agricultural Labor Relations Act (ALRA) into law.<sup>49</sup> Secret ballot elections among farm workers could begin in the fall.<sup>50</sup>

Under the provisions of the law, those labor contracts already in existence remained in effect until 50 percent of the farm laborers on a single farm, during a harvest, petitioned for an election.<sup>51</sup> Receipt of a petition required the Agricultural Labor Relations Board (ALRB) to schedule an election within seven days. In this respect, the ALRA differed dramatically with the National Labor Relations Act. The national law, which governs most workers except agricultural laborers, stipulates that an election cannot be held less than three weeks after receiving worker petitions. The ALRA, on the other hand, critics argued could not delay as long during California's critical harvesting periods. Migrant workers petitioning for an election on one farm might be several hundred miles away three weeks later. A special provision of the Act allowed eligible UFW members to vote in any election held on the particular ranch where they worked and struck during the violent season of 1973.<sup>52</sup> Ronald B. Taylor, a free-lance correspondent writing for the *Sacramento Bee*, felt that perhaps there was one other point for debate:

The key issue in the past and in the election process to come is the hiring hall created by the UFW to take control of the work force from the farmer and place it in the hands of the worker.

It is not unusual for a San Joaquin valley fruit and vineyard farm to have up to a 400 percent turnover in labor. The hiring hall was designed to slow the turnover, to hire by seniority and to stabilize the work patterns for local workers.

The Teamster allowed the farmers to go back to the old farm laborer contractor-crew boss system that tolerated high turnover and depressed wages. Workers



have no job security under this system that fosters mobility and the importation of migrants - legal and illegal - from Mexico.<sup>53</sup>

On July 15, the extremely fragile alliance between backers of the ALRA suffered a severe blow when Cesar Chavez named as a "crass conspiracy" an agreement between the Teamsters and 135 growers for a raise in the base pay of agricultural labor to three dollars an hour. Chavez believed that the Teamsters and growers had joined forces to defeat the UFW in the elections. Les Hubbard, of the Western Growers Association, defended the agreement saying: "The Teamsters threatened to strike if no agreement was reached when the contract expired today [July 15, 1975]."<sup>54</sup> Additionally, the UFW faced a threatened withdrawal of support by the National Conference of Catholic Bishops in their boycott of lettuce and table grapes. Catholic Bishop Roger Mahoney, the spokesman, said: "The boycott was primarily intended to build up pressure for support of a law to give farm workers the right to vote on which unions, if any, they want."<sup>55</sup> Now that Governor Brown had secured such a law, Bishop Mahoney felt that his organization's support would probably be dropped. On August 8, Governor Brown named Bishop Mahoney chairman of the five-man Agricultural Labor Relations Board. At that point, Bishop Mahoney believed that the Board faced the possibility of supervising up to 150 union representation elections daily.<sup>56</sup>

The United Farm Workers, on August 6, opened their second annual convention in Fresno, California. They censured Senator John Tunney for ignoring the new state law and sponsoring legislation to include farm workers under the National Labor Relations Act. However, the convention was primarily a scene of speeches and support for the UFW from other AFL-CIO unions.<sup>57</sup> Intent on getting a favorable reaction for his union in the upcoming elections, Chavez began preparations for another "pilgrimage" march through the state. Meanwhile, M.E. Anderson, head of the Western Conference of Teamsters, confidently predicted victory for the Teamsters because of its already large size and its ability to obtain better wages for the workers. Growers, in California, while expending their efforts to persuade workers to reject any union, tended to favor the Teamsters.<sup>58</sup>

An issue central to secret ballot voting for unions was the needed accessibility by union organizers to agricultural workers. As a diverse mobile group, migrant workers often could be reached only by contacting them in the fields. As the fields are private property, however, such contacts involved trespassing. On August 22, 1975, six UFW organizers, including Dolores Huerta, Vice-President of the UFW, were arrested on Gallo wine property after they tried to talk to laborers during their work breaks. The arrests proved the first test case of the California law dealing with union access to farm workers.<sup>59</sup>

Charges and countercharges of favoritism were hurled by each side. The National Conference of Catholic Bishops urged an investigation by the ALRB of the Teamsters on charges that they were given preferential treatment in their efforts to recruit farm workers.<sup>60</sup> The issue of union accessibility to workers on private property was a major issue when the law took effect August 28, 1975.<sup>61</sup> The ALRB met to discuss the secret ballot elections and access to growers' property by union organizers. Again the two unions split on the issues. The Teamsters advocated a limited access to growers' lands, in accordance with limitations established by the grower, while the UFW firmly demanded that union organizers be granted full and unlimited access in order, they said, to ensure a democratic election.<sup>62</sup> A Los Angeles *Times* editorial urged court action to prevent growers from throwing union representatives off their land. The editorial writer of the *Times* was particularly incensed by a reported "posse" that had conspired to keep UFW organizers off a tomato farm even though the union was permitted to be there under the law. On September 4, 1975, California Federal District Judge, M.D. Crocker, refused to overturn a temporary restraining order barring unauthorized farm union organizers from entering growers' fields to

recruit workers. The setback affected the ALRB which had adopted the rule permitting access before and after work hours and during lunch breaks.<sup>63</sup> In addition to the access problems, results of those decisions were challenged. An apparent victory for the UFW at the Caratan vineyards was challenged as illegal by the Teamsters.<sup>64</sup> Teamsters also recorded election victories at the Richardson vineyards and the Guimarra vineyards.<sup>65</sup>

Acting on the advice of the ALRB, the state of California, in the first use of the law, filed formal complaints against Rose J. Farms and Valley Farms for alleged unfair labor practices.<sup>66</sup> On September 27, the Board reported that representatives of the Marco Zaninovich Farms had threatened to kill workers who supported the UFW rather than the Teamsters in the elections.<sup>67</sup> So serious did the charges of unfair election practices become that on September 27, 1975, 65 religious leaders from 17 states, alarmed by the explosive situation in the rural areas, urged Governor Brown either to enforce the law to its fullest extent or to suspend the elections.<sup>68</sup> The Governor responded by announcing plans for the complete enforcement of the law.<sup>69</sup>

Criticism was also directed toward the Board. An editorial in the Los Angeles *Times* noted that the ALRB had come under sharp attack by the UFW, the Teamsters, and the growers. Announcing the formation of a special legal task force to handle the flood of incoming complaints, in an effort to gain some control of the situation, the Board also issued a call for cooperation to ensure the success of the law.<sup>70</sup> Observing the rash of complaints concerning "the continued obstruction of the exercise of democratic rights," a New York *Times* editorial felt that the Governor's strong advocacy of the law was compelling ground for confidence that "exploited laborers" should be allowed to make their own decisions via the secret ballot.<sup>71</sup>

On October 11, 1975, California Superior Court Judge Harry F. Brauer ruled in favor of the access rule adopted by the ALRB. Judge Brauer believed that he could not rule against the access question with the issue pending before the California Supreme Court. At this time, the UFW had surpassed the Teamsters and other rival unions with 47 percent of the total vote cast. One of their victories, marred by some violence, was the Pandol grape ranch. Grower Jack Pandol reported that fires occurred on the ranch during disputes with the UFW. Chavez denied UFW involvement in these incidences.<sup>72</sup>

Concern for the elections manifested itself in the decision of three AFL-CIO vice-presidents touring California's farms to investigate the implementation of the secret ballot.<sup>73</sup> Their final report accused the ALRB of inadequate action in the face of widespread intimidation of workers in the area. In a coinciding announcement, the Board stated that it would impose tough new penalties against anyone who threatened or coerced workers into supporting a particular union. Chavez countered the Board's claims by announcing that workers supporting the UFW did not have adequate protection as long as the Board retained its present staff.<sup>74</sup> Council of Growers President, Lloyd Eveland, quickly countered Chavez's comments by charging that the ALRB was a failure because Governor Brown had stacked the Board with individuals sympathetic to the UFW. Eveland went on to say that the UFW was intimidating farm workers.<sup>74</sup> Chavez directed his accusations against the Board's General Counsel, Walter Kintz. He accused Kintz of seriously damaging "the electoral process through his failure to enforce the law and his adoption of discretionary policies that clearly favor" the Teamsters.<sup>75</sup> Chavez concluded his attack by urging the Governor to replace Kintz.

In its desire to inform agricultural workers of their rights, the ALRB extended its program to Mexican migrant workers. By Spanish language leaflet and radio broadcast, Mexican aliens were also familiarized with the American democratic principle of voting in secret ballot elections without fear of intimidation from union officials or reprisals from growers.<sup>76</sup>

Despite the problems, the Agricultural Labor Relations Act struggled into full operation in 1976. It was then

that antagonists began a different tactic to prevent the law's effective operation.<sup>77</sup> Chairman Roger Mahoney, in a statement to the press on January 9, 1976, announced that the Board would have spent completely its initial appropriation on or about January 31.<sup>78</sup> In an official comment to Mahoney's statement, Gray Davis, a top aide of Governor Brown's, said that the administration supported the Board's request but he refused to say whether the Governor would actively push for the additional funding.<sup>79</sup> The Board's General Counsel, Kintz, then notified the 175 member staff that "their employment with this agency will cease in early February."<sup>80</sup> Nearly 42,000 votes had been cast in the supervised elections since the law had gone into effect. The UFW led, representing 57 percent of the workers, the Teamsters 36 percent, with the remainder voting no, or for some other union.<sup>81</sup>

Meeting in Sacramento on January 16, the ALRB voted to cancel additional hearings. Beginning on January 23, the Board would no longer accept petitions for elections. Additionally, regional offices were slated to close by January 30 and, by February 6, all but 25 employees would be laid off.<sup>82</sup> The cutoff for funding the Board meant that unless the Assembly voted emergency appropriations, operations would cease. Opposition to the Board, in the Senate, was led by Clare Barryhill, a Republican grape-grower from Shingle Springs, California. Senator Barryhill, before allowing the funding, proposed several debilitating amendments. First, he proposed that union organizers be denied the right of access on private property. A second amendment moved the time an election could be held from the existing one week to three weeks after workers petitioned for it, as was the case in the National Labor Relations Act. A third amendment defined farm labor contractors as employers, an action that would further confuse an already intricate situation in California's fields.<sup>83</sup> Board opposition, as well as support, in the California Senate moved cautiously when California growers were involved.<sup>84</sup> Speaker Leo McCarthy, in attempting to defend the actions of the Board, said: "Our agricultural Labor Relations Board held more elections in a three-month period than the National Labor Relations Board held in its first two years of existence on a national basis."<sup>85</sup> McCarthy continued, saying that if the Board were to cease operating, even for a short time, then it could "do a lot of damage without a doubt."<sup>86</sup>

The money bill passed through the Senate Finance Committee by the slimmest margin and was sent to the full Senate. On January 27, 1976, by a vote of 20 to 15 in favor of passage, the Senate refused to approve the emergency measure. The bill fell short of a two-thirds majority required by California law.<sup>87</sup> The Board, in an attempt to keep the backlog from becoming unmanageable, voted to extend secret ballot elections one week, from the end of January to the 6th of February. The ALRB felt that an extra 15 elections could be held in this time.<sup>88</sup> One decision, made at this time, was to throw out the results of three elections held on the Bruce Church ranches. Church owned one of the largest lettuce acreages in the United States. The Board in its decision voted to set up new elections on the 30th of January.<sup>89</sup>

As the ALRB began to wind down its activities, additional parties opposing the supplemental funding rallied their forces. Allan Mills, Executive Vice-President of the California Grape and Tree Fruit League, expressed the view that the ALRB should be allowed to die unless it changed its regulations and policies.<sup>90</sup> Assemblywoman Pauline Davis directed her attention to Governor Brown's intransigence concerning the bill saying if "He has his feet in concrete, mine are too."<sup>91</sup> Though the issue of farm unions' organizing access to private lands was before the California Supreme Court, growers insisted on holding up the supplemental appropriation. As a result, the bill died in the Senate. In the Assembly, a similar bill would not be considered until February 28, unless the rule prohibiting consideration for 30 days was rescinded. But, by a three to three vote, the Assembly Rules Committee refused to grant such a waiver.<sup>92</sup> Roger Mahoney volunteered that proposed changes in the

law should wait until after the Supreme Court finished dealing with the access rule.<sup>93</sup>

When an eleventh hour attempt by Governor Brown failed to move the funding through the legislature, the Board officially closed down. Speaking before a group of farmers at a California Canning Peach Association meeting, the Governor voiced some of his frustrations:

You get Chavez, the Teamsters and the growers, get them into your office and if you can come up with a compromise, come over to mine and I'll be glad to sign it.<sup>94</sup>

Among ALRB staff members, 150 had been laid off, leaving 28 others inclusive of Board members, to certify those elections already conducted and to conclude the administrative duties. Up to this time, the ALRB had conducted 410 secret ballot elections, 195 of which had been decided in favor of the UFW, 120 in favor of the Teamsters, 19 in favor of two other unions, 25 in favor of no union, and 51 still in doubt.<sup>95</sup>

Cesar Chavez, by this time, had become quite upset with the actions of the growers. In a spectacular move, Chavez filed an initiative proposal for the fall ballot. In order to qualify for the ballot, 312,404 valid signatures would have to be gathered before October.<sup>96</sup> Chavez also stated that the UFW would fight to have another Chicano named to replace Joe C. Ortega, a Board member who resigned after being arrested on a morals charge in January.<sup>97</sup>

The Teamsters seemed glad to see the end of the ALRB for the fiscal year, maintaining that the Board had consistently favored the UFW. The Teamsters stood firm in their desire to see certain changes written into the law which they maintained would make it more equitable; until then they would continue to block the bill for supplemental funds.

With Senate and Assembly skirmishes over funding, the composition of the Board came under increasing criticism. The original Board members included Chairman Roger Mahoney, Richard Johnsen, Jr., a former Executive Vice-President of the Agricultural Council of California, Joseph R. Grodin, an attorney who had once worked for the Teamsters union, Joe C. Ortega, who had resigned in January, and Leroy Chatfield, a former top aide to Chavez. Chatfield was disliked by growers who claimed he was pro-UFW. His resignation on April 2, 1976, to become a special assistant in Governor Brown's presidential campaign, was applauded by growers' interests in the California Senate and Assembly as a major breakthrough in the stalemate.<sup>98</sup> Governor Brown nominated Superior Court Judge John T. Rocanelli to replace Ortega, but the Sacramento *Bee* noted a constitutional prohibition against an active judge being appointed to anything except a judicial post during his term in office.<sup>99</sup> Governor Brown withdrew his nomination.

On March 4, 1976, the California Supreme Court, in a four to three decision, voted to uphold the ALRB rule allowing union organizers access to workers on private property during lunch and rest breaks.<sup>100</sup> Union leaders from three states - California, Nevada, and Arizona - joined in their support of both the law and Governor Brown. They maintained that the Governor had helped bring about the "best labor legislative record in California history."<sup>101</sup> Others, who had originally supported the law, began to shift their support to the efforts of Chavez in gathering signatures to permit the voters of California to vote on a November referendum. "I personally couldn't care less if the bill goes up or down," Senate Majority Leader D.A. Roberti said, "I want the initiative."<sup>102</sup>

As popular support for Chavez's initiative began to swell, individuals in tune with the farm labor situation prepared to deal with the November referendum. Roger



Mahoney predicted that voters would provide a landslide victory in November for the initiative. Voter acceptance would make the ALRB a part of the California constitution.<sup>103</sup> By the middle of April, the UFW initiative drive had gathered more than 270,000 signatures, or over half the 312,404 needed to become a referendum.<sup>104</sup>

With the events moving away from the Board, and the fact that without funding, no elections could be held, on April 17, General Counsel Walter Kintz submitted his resignation. Board member Joseph Grodin also resigned. Members of the Board had been working without salary since April 1. Kintz, who expected to return to his previous job as counsel for the National Labor Relations Board, said: "The law has become a travesty of justice."<sup>105</sup> The resignation of Grodin left the Board without a quorum.<sup>106</sup> As opposition to the Act and Board mounted, Chavez continued to gather signatures in support of placing the entire issue before the people of California. On April 22, Chavez announced the successful gathering of 475,000 signatures with more names arriving at the rate of 25,000 to 30,000 a day.<sup>107</sup> Chavez's reasoning for the referendum drive was simple. The Agricultural Labor Relations Act was a law and, like any other law, it could be amended. It could also be manipulated through its funding which was approved in each session by a majority vote. Amendments and budget control, within the California legislative system, rested in the hands of growers' representatives. Chavez, with his initiative, proposed taking the legal authority of the ALRA out of the Assembly and Senate and putting it in the state constitution where any changes had to be made with the consent of the people of California. In a state where the cities, traditionally more liberal than the rural areas, contained the bulk of the population, such a move seemed to favor the UFW.

Growers, unalterably, demanded the right to hire and fire whomever they pleased. They also used the implied threat of non-union hiring and firing practices to keep wages substantially lower than their industrialized counterparts. The proximity of Mexico, with its high rates of unemployment, was used continually by growers as a source of labor, often to the detriment of the indigenous labor force. Growers caught with illegal aliens working on their property faced no penalty under the law even if they were aware of the situation.

In the 1960's, with the advent of the UFW, Cesar Chavez seemed for the first time to be challenging growers' authority in their hiring and firing practices. UFW emphasis lay in the concept of the hiring hall, similar to the rights and privileges of industrial labor extant under the National Labor Relations Act since the 1930's. Because the UFW seemed to abrogate traditional growers' rights, the Teamsters intervened in California's fields with an alternative union, one which the growers found sympathetic to their demands. The stage was set for an intense rivalry.

Beginning in 1975, newly elected Governor Edmund G. Brown, Jr. introduced and secured the passage of the Agricultural Labor Relations Act. The law took effect on August 28, 1975; by February 7, 1976, it had provided the basis for 429 elections involving 50,000 agricultural workers. Almost unanimously, workers chose to be represented by some form of union representation. More than 90 percent of the elections were won by a union.<sup>114</sup> Through these elections, the UFW made substantial representational gains. Growers realized that the era of cheap farm labor was coming to an end and that the cost of such labor would figure much higher in computing factor input costs in final food production figures. Their response was to attempt, through the traditional channels of the state's legislative system, to control the rising cost of labor as much as they could.

Additionally, growers were bewildered by the strange tactics of Cesar Chavez. Few were willing to compete on the same basis that Chavez conducted campaigns for workers. Chavez succeeded in successfully integrating the facets of Catholicism, ethnicity, and organizational acumen into a powerful force in California's rural sector. For the first time, politically powerless agricul-

tural workers had managed to attract the attention of a broad spectrum of American public opinion. Growers now found themselves responding to instead of initiating farm labor policy.

Growers quickly realized the danger of this proposal and increased their opposition as Chavez moved nearer to placing the initiative on the fall ballot. On May 1, the UFW and their supporters turned in their lists of names to various voter registration offices throughout the state. Chavez claimed that in 29 days, "The petition drive gathered the largest number of signatures in the shortest period of time in the history of the initiative process."<sup>108</sup> When checked for validity, more than 515,000 signatures qualified the farm labor initiative for the November ballot.<sup>109</sup>

Once on the ballot, as Proposition 14, the initiative faced redoubled efforts by growers to discredit it. Growers centered their campaign on urban areas. Harry Kubo, President of "No on Proposition 14," announced plans to send 50,000 farmers to Los Angeles and San Francisco for a two day door-to-door campaign against the proposition.<sup>110</sup> As the November 2 voting date neared, each side attempted to line up political backing. Growers gained the support of Assembly Speaker Leo T. McCarthy.<sup>111</sup> The UFW received the backing of Senator John Tunney and Governor Brown. The Governor urged the end of "blackmail" of the law by rural legislators.<sup>112</sup> On November 2, 1976, Californians overwhelmingly voted against Proposition 14 because of grower touted rights of "trespass" on private property.<sup>113</sup> The defeat was a strong rebuke of Chavez's efforts by the people of California.

The convolutions of the passage and first year's operation of the California Agricultural Labor Relations Act of 1975 graphically serves to illustrate the complex situation in which agricultural workers in California found themselves. Often numbering as high as a quarter of a million individuals during the peak fall harvest season, workers had been stymied by crucial three to three votes in Assembly committee meetings. Even passage of the first state law governing the rights of agricultural workers to collectively bargain with their employers did not function properly because growers' interests were able to stop the necessary emergency funding with a minority vote. (Passage of the law was predicated on a two-thirds majority vote).

On a national scale, events in California made labor legislation difficult to determine. Under President Carter, a southern agriculturist, there has been displayed a surprising understanding of the complexities of the situation when the Administration selected Ray Marshall for the position of Secretary of Labor. Marshall, a Texas-born rural labor economist, is particularly aware of the problems faced by agricultural workers. Administration policy, under the guidance of Marshall, has begun to study the possibility of national laws for agricultural labor based both on the California Agricultural Labor Relations Act and the National Labor Relations Act. Such legislation when, and if, it is introduced would face considerable opposition from growers' interest groups. Passage of enabling legislation through the U.S. Senate, where rural areas exercise their maximum power, would be extremely difficult.

Perhaps the current energy squeeze will have the most profound effect on farm labor wages as growers find the cost of labor decreasing in relation to the rising cost of fuel, signalling a shift back to non-mechanical farming methods. Whatever the case, workers harvesting the crops for the tables of millions of consumers are aware of the differences between their incomes and those of the people for whom they work.

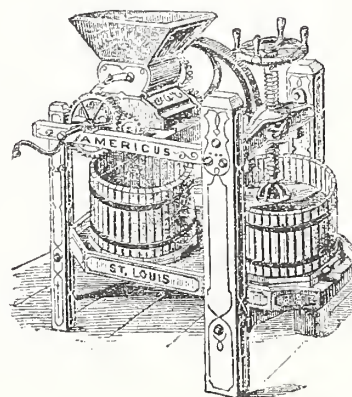


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# MINORITIES IN THE CATTLE INDUSTRY:

## A HISTORIOGRAPHIC ANALYSIS

BY

KAREN LYNN EHRLICH\*

The cattle industry, with its cowboys, roundups, and cattle drives, has captured America's imagination since its inception in the 1860's. The succeeding 100 years witnessed the romanticization of the cowboy and his glorification as the symbol of the American West. With few exceptions, these cowboys were white in color and Anglo in heritage. This stereotyped image has been perpetuated in the movies, on television, in song, and in books. While the entertainment industry is loath to tamper with this image, scholars and historians are not so timid. Over the years, researchers have unearthed evidence which proves that blacks, Hispanics, Native Americans, and even women played significant roles in the ranch and range-cattle industries. From the end of the Civil War until the turn of the century, approximately one-third of the 35,000 men who herded cattle north from Texas were either black or Hispanic.<sup>1</sup> Likewise, Indians owned some of the prime grazing lands on the Great Plains. Writings discussing the black contribution to the cattle industry first appeared in the 1930's and 1940's with articles by John Hendrix and John Harmon. The civil-rights mood of the 1950's, 1960's, and 1970's encouraged scholars such as Philip Durham, William S. Savage, Lewis Atherton, and Kenneth Porter to expand and broaden the ideas of their predecessors.

Conversely, neither the Hispanic nor the American-Indian involvement in the cattle industry has received adequate attention from researchers. Thus, to assess the Hispanic contribution, one must read contemporary accounts by such men as J. Frank Dobie, Sam Ridings, and Emerson Hough. In researching the American-Indian's role, a recent work by William W. Savage provides the most valuable information. Each of the aforementioned authors is important for the insights and observations that he provides; by analyzing the works of these writers and historians from a historiographic perspective, this paper will evaluate their treatment of minorities in the cattle industry.

### Blacks in the Cattle Industry

John Hendrix's "Tribute Paid to Negro Cowboys" (*The Cattleman*, 1936), along with his "Dusky Riders of the Range" (reprinted, 1964) were recognized as the first published accounts discussing the black presence in and contribution to the cattle industry. Hendrix grew up in the range and ranch country of Texas; although he missed the industry's peak years, he knew many of the cowboys and their stories. According to Hendrix, the overwhelming majority of the cattle crews that traversed the West Texas Plains employed black workers. These men were "usually large and perfect specimens with almost Herculean strength."<sup>2</sup> They often performed the hardest and most demanding tasks, realizing that to keep their jobs, they had to show a willingness to accede to the whites' requests and demands. These blacks accepted their "inferior" status in American society and often volunteered their services as laundrers or valets to ingratiate themselves to the white crew members. The author claimed that even eating utensils were kept separate, an idea many find difficult to believe. But, reassured Hendrix, when a black needed help, whether on the trail or in town, his compatriots always rallied to his aid.

Hendrix also recounted the stories of many outstanding black cowboys who worked the Texas trails. While every region had its well-known black workers, a few unique individuals merit special attention. Such outstanding cowboys as Bill Pickett, the original bulldogger; "80 John" Wallace, the first black rancher in the state of Texas; and Tige Avery, an honored and respected member of the Texas Cowboy Reunion Association, were still commonly discussed in cowboy circles. Hendrix carried this tribute one step further, saying that "no Negro cow hand ever went far wrong in his conduct or violated the laws of his country."<sup>3</sup>

This flattering article, even in 1936, was long overdue. As will later be shown, further studies have rendered many of Hendrix's conclusions invalid. Nevertheless, the appearance of "Tribute Paid to Negro Cowmen" and "Dusky Riders of the Range" prompted other writers and historians to investigate the subject. While his scope was narrow, his conclusions broad and sometimes inaccurate, and his sources unknown, Hendrix remains the pioneering author on the subject of the black cowboy.

The next work to appear, John Harmon's article "Black Cowboys Are Real" (*The Crisis*, 1940), was a vitriolic attack on the white establishment, condemning its flagrant disregard of the black contribution to the cattle industry. He blames this "white wash" on the racial attitudes of the day, noting that many black accomplishments were ignored because "the prejudiced writers and historians have just refused to tell it (sic)."<sup>4</sup> He thought that the chief victims of this distortion were the black children who were forced to accept America's hero, the cowboy, as a "pure white" man. Harmon thus dedicated the remainder of his article to these children; for their benefit he cited several prominent black cowboys who were renowned for their skill but ignored in print because of their color. According to Harmon, the black cowboys who secured positions as cowhands worked twice as hard, were twice as skilled, and were twice as strong as their white counterparts. A few of the black cowboys worthy of recognition were Bill Pickett; "Major" Powell, who continued to break horses past the age of seventy-five; and "80 John" Wallace, whom Harmon called the Horatio Alger of the Negro race. Harmon's strong attack waived when discussing prejudice against blacks. While the whites were prejudiced, he argued, they always credited the individual for his accomplishment, since neither "creed nor color meant little to them, it was only the best man who won."<sup>5</sup> Harmon cited no sources to support his statements, saying that the men he discussed were real men "whose records can be checked as closely as the pedigreed cattle they tended."<sup>6</sup> The lack of depth in this discussion is tempered by the realization that it was the only study on black cowboys written in the 1940's. His sarcastic introductory tone could not hide the anger he obviously felt towards the entertainers and historians who had type-cast the black cowboy out of existence. Fifteen years lapsed between this scathing commentary on the industry and the appearance of the next study on the topic which tended to confirm the validity of the author's bitter attack.

Philip Durham, a professor of English at the University of California at Los Angeles, ranks as the most visible and most prolific writer on the subject of the black cowboy. His articles "The Lost Cowboy" (*The Midwest Journal*) and "The Negro Cowboy" (*The American Quarterly*) both appeared in 1955; a book-length study, *The Negro Cowboy*, co-authored with colleague Everett Jones, was published in 1965. Durham's articles presented ideas which he later developed in his book; his primary argument stated that the exclusion of the black cowboy from the "Western" stories resulted in his disappearance from the annals of American history. The "Western" writers arrived after the hey-day of the cattle trails and were unaware that a job shortage had forced many blacks from the industry in favor of white cowboys. An expanding population also led to an increase in racial prejudice, segregation, and discrimination; once white women and children arrived on the frontier, white males feared the corrupting influence of their former black companions and instituted social and legislative codes

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to constrain the Western blacks. All of these factors influenced men such as Owen Wister and Zane Grey. Thus, while both black and white cowboys possessed the manly traits that Americans attributed to the cowboy, the prevailing racial attitudes forced writers to endow only the white cowboy with these characteristics. In the minds of both writer and reader, the black cowboy was an enigma instead of a reality.



(Photo, Courtesy, Tom Fulton, Guest Editor)

Durham's investigations attracted more attention than did those published in the previous decades<sup>7</sup> but, by ignoring these earlier works, he arrived at several erroneous conclusions. While Durham applauded his "discovery" of the "lost cowboy," a familiarization with the extant material would have corrected this misconception. Hendrix and Harmon had already resurrected the black cowboy from obscurity and introduced the reader to many of these extraordinary people. Thus, while Durham speculated that the inventor of bulldogging may have been "a Negro cowboy named Pickens,"<sup>8</sup> others realized that confirmation of Bill Pickett's unusual talents were, as noted, already in print. Another curious and undocumented assertion involved Durham's contention that the presidential election of 1876, with its myriad intricacies, "had considerable impact on the Negro cowboy" and his status.<sup>9</sup> This election influenced black status in the South and in Texas, but the direct consequences of the election did not alter the black cowboy's position. A change in status occurred during the late 1800's but it happened too gradually to pinpoint an exact year.

Durham, aided by Everett Jones, later expanded and deepened his research in preparation for the book *The Negro Cowboy*. This additional investigation corrected many of the original errors and eliminated several of the shortcomings evident in Durham's articles. The authors' purpose, like those of their predecessors, was to tell the story of the "forgotten Negro." They recounted the glorious tales of men such as Nat Love, Bill Pickett, and Isom Dart. Durham and Jones also described black cowboys that were not so famous: "Nigger" Add, "Moneky" John, and Jim Simpson, to name a few. Blacks involved themselves in almost every facet of Western life, from

riding the range to managing a business to robbing a bank. The authors concluded:

The point of their history is not that they were different from their companions but that they were similar. They had neither peculiar virtues nor vices to be glorified or condemned. But they should be remembered.<sup>10</sup>

This work contained one outstanding chapter entitled "The West as Fiction" which deserves an additional comment. In a penetrating and persuasive analysis, the authors again discussed the question of why the black cowboy rarely appeared in either factual or fictitious accounts. Many of the possible answers, which appeared in Durham's previous articles, were re-examined and the authors cited additional evidence to support the original conclusions that Durham had presented ten years earlier.

In contrast, the remainder of the book is not as impressive. While the authors collected a vast array of data, they never extrapolated from the material. With the exception of the previously cited chapter, they refused to generalize or form conclusions, remaining content with a presentation of several biographical vignettes connected only by their concern with black Westerners. In places their research seems incomplete, since they ignored prominent characters like "80 John" Wallace and Ben Hodges. While this oversight was understandable in Durham's articles published in 1955, it was difficult to understand in a book of this size. Thus, while many considered this the most complete and significant work on the black cowboy, others, citing these omissions, have praised its approach and individual detail while criticizing its lack of depth and historical perspective.

The black historian, William S. Savage, also researched black involvement in the cattle industry writing an article entitled "The Negro Cowboy on the Texas Plains" (*The Negro Journal*, 1961) which he later updated for inclusion in his recent book, *Blacks in the West* (1976). His approach resembled that of both Hendrix and Harmon in that he described the growth of the cattle industry and later noted the contributions of individual blacks to its success. Many of these noteworthy individuals previously appeared in the works by Hendrix and Harmon, and Savage cited their articles as the sources for much of his information. These biographical sketches discuss "80 John" Wallace and Bill Pickett, along with other black cowboys overlooked in previous studies.

Savage's basic contention, that the black contribution to the cattle industry has been overlooked, echoed the charge leveled 35 years before. He further lamented that many less famous black cowboys will remain unknown because records were destroyed or have disappeared over the years. Nevertheless, as proven by *The Negro Cowboy*, many valuable accounts have survived. Neither of Savage's articles pierced the surface to pursue matters like discrimination, working conditions on the trails, or racial attitudes within cattle crews. Even when he admitted that the black cowboy encountered prejudiced whites, he did not move beyond this statement to discuss if this prejudice led to discrimination or segregation.

An unusual yet conspicuous writing that treated the topic of black cowhands was Lewis Atherton's work, *The Cattle Kings* (1961). In his chapter, "The Cult of the Self-Made Man," Atherton addressed the puzzling question of racial discrimination, concluding that it prevailed everywhere in the cattle kingdom. In accordance with John Hendrix's assessment, Atherton argued that most blacks respected the idea of white superiority and "knew their place." A talented black like Bill Pickett, who combined deference and humility with skill, could earn fame in this white-dominated industry. Atherton also cited black bodyguards and henchmen for their loyal service to their famous bosses. Among these were Bose Ikard, Charles Goodnight's indispensable manservant, and "Old Nep," who remained Shanghai Pierce's money carrier for 35 years. A "racial line" always existed and, as Atherton concluded, the cattle kingdom was not color-blind.



Coupled with Atherton's short yet stimulating discussion of the black contribution to the cattle industry was his analysis of women's involvement. The author noted the correlation between the arrival of women and the rapid transition of the ranching frontiers into stable civilized societies. Women promoted religion and education and their presence discouraged lawlessness, drinking, and prostitution. While ranchers valued women for this "moderating" influence, individual men also noted the contributions of their wives and daughters to the betterment of the ranch. Wives bore the responsibilities of cooking, cleaning, and sewing for their families and sometimes for the entire ranch staff. Many women exhibited a maternal interest in the lives of the single male ranch workers by arranging parties, dances, and religious services for these employees.

Women also shared the responsibility for managing the ranch; they handled the account books and business correspondence and often made decisions affecting the future of the ranch. Some women operated spreads for entire seasons while their husbands were away arranging business deals in the East or in Europe. Others, usually widows and daughters, owned and administered their own ranches. Some single women even disdained social convention and purchased ranches with their own money. For these single women, as for most ranch women, life was harsh, lonely, and often unrewarding. To them, their lives seemed boring and unexciting although today their stories are fascinating and informative.

Amazingly enough, *The Cattle Kingdom* is the only recent study of the cattle industry that features either women or blacks as important entities. While Atherton's discussions of these groups were warm and sensitive, each topic deserves additional attention. In particular, an in-depth analysis of females on the ranching frontier awaits further study.

By far the most significant and valuable contribution in this expanding field of study is Kenneth Porter's article "Black Labor in the Cattle Industry, 1865-1900." This thoroughly researched and well-organized work appeared in several publications between 1969 and 1972. It succeeded in presenting many of the issues previously ignored by Hendrix, Harmon, and Savage and incompletely treated by Durham and Jones and Atherton. Porter probed beyond specific biographical outlines to discuss the topic in general. His analysis of issues such as working conditions and discrimination led to the only overall conclusions yet formulated about blacks in the cattle trade.

Porter's study supported the accepted figure of approximately 12,000 black cowboys employed in the cattle industry between 1866 and 1900; the average trail crew thus included two blacks. The majority of these workers became camp cooks, although blacks also served as wranglers, riders, and an occasional trail boss. Blacks became cooks, Porter surmised, because many of them grew up around the slave kitchens of the South. They regarded the cook's position as one of status and, in most crews, this was the highest position a black could attain. Many whites preferred black cooks, for evidence shows that they worked harder, possessed better dispositions, and were more reliable in crisis situations. Porter also contended that although blacks seldom became trail bosses, they were, in general, not victims of discrimination. They received the same wages as their white counterparts and held positions based on their ability or lack of ability. While the black crew member often accepted more than his share of work, this was regarded as a favor and not as a condition of employment. Segregation on the trail was, according to Porter, virtually non-existent. The cowboys used the same dishes (disputing Hendrix's claim), shared the same tent in inclement weather, and even drank in the same cowtown bars. The situation on the ranches was similar with black and white hands working, sleeping, and eating together. When the workload was light and the women were scarce, black and white cowboys even danced together to relieve the tedium of ranch life. Thus, while some segregation probably existed, blacks in the West lived under fewer constraints and restraints than did blacks in the South. For black

men, the cattle trail offered an escape from Jim Crow.

Porter also presented other topics such as white hazing of blacks, black participation in the post-cattle drive town life, and even black involvement in cowboy strikes, in a well-documented organized manner. He concluded this article by analyzing the impact of black workers on the cattle industry. Porter concluded that without the employment of large numbers of skilled blacks, the cattle industry would not have developed into a major economic force. Porter's impressive study clarified many ambiguities, issues, and questions heretofore unresolved, leaving the reader with a deeper and more complete conceptualization of the subject matter.

The books and articles previously discussed were the most important works to appear on the topic of blacks in the cattle trade. Other types of studies in the field are also worthy of mention; for example, William Katz's pictorial work, *Blacks in the West*, devoted a chapter to the black cowboy. His text utilized material from both *The Negro Cowboy* and "Black Labor in the Cattle Industry, 1866-1900" to supplement his collection of photographs. Arthur Cromwell's *The Black Frontier*, another pictorial book, also contained a discussion of the black cowboy. Like Katz, Cromwell based much of his text on the book by Durham and Jones and the study by Porter. One year after the appearance of *The Negro Cowboy*, Durham and Jones published a juvenile version of their popular book. While these works presented neither additional information nor different conclusions, they have become valuable adjuncts to the more scholarly works on the subject.

An overall analysis of these works led to some general determinations. First, the writers neglected to use the available literature as a basis for forming meaningful conclusions. The one issue that each author discussed, discrimination and segregation, was the only topic that solicited firm opinions. This vast collection of information should encourage, rather than inhibit, extensive thought and study on a variety of topics relating to blacks in the cattle industry. For example, the question of black activities in the cattle towns awaits further investigation, as does the subject of black ranch owners and ranch employees. Second, these authors seemed hell-bent on "saving" the lost black cowboy from obscurity or "fully recounting" his misplaced story. The "savers" exhibited their ignorance of the earlier studies written on the subject, and the "recounters" simply restated much of the previously published material, adding little new information and few original ideas. Some authors have reiterated the same biographical stories so often that they cease to command the reader's attention. Third, even with this constant repetition, progress on the topic has been slow but steady. The original studies which were brief, undocumented, and biographically-oriented served as the foundations for later works in which the authors broadened their scope and cited their sources but retained the emphasis on biography. The most recent work moved the field from biography to a broad deep analysis of the data. This latter work, with its accompanying observations, theories, and conclusions could serve as the basis for further studies on the topic of blacks in the cattle industry.

### Hispanics in the Cattle Industry

An analysis of Hispanic involvement in the cattle industry similar to that of black involvement is hampered by the paucity of scholarly works written on the subject. This lack of material can be attributed to several factors. First, the Chicano "brown awareness" movement emerged only in the 1960's and extensive studies on topics in Mexican-American history have not yet appeared. Second, the written histories that discuss Chicano laborers focus on agricultural workers and ignore ranch laborers and cowboys. Third, unlike the black cowboy, the Chicano cowboy, or vaquero, did not "disappear" from the fictitious and historical accounts of the cattle industry; instead, he remained in the background. Thus, the idea of "saving" or "resurrecting" the vaquero has not inspired further research. Although few secondary works exist, many primary accounts remain. The authors either herded cattle with the vaqueros or observed the interac-



tion of Mexicans and Anglos on cattle ranches. A reader alert to the possible biases of such primary accounts can, by studying such works, gain a perspective on the involvement of Hispanic vaqueros in the cattle industry.

J. Frank Dobie, the Texas rancher, author, and scholar, remains the foremost writer on the topic of the Mexican-American vaquero. His articles, "The Mexican Vaquero of the Texas Border" (*The Southwest Political and Social Science Quarterly*, 1927) and "Ranch Mexicans" (*Survey Graphic*, 1931) as well as segments of his major book *The Longhorns* addressed the role of the vaquero in the range and ranch-cattle industries. Dobie wrote about the vaquero with respect and admiration since he recognized his contributions to the art of riding and ranching. The large ranches of South Texas, like the King and Kennedy spreads, overwhelmingly employed Mexican vaqueros; in his articles, Dobie outlined the organization of a typical Mexican crew on such a ranch. This outfit, like the Anglo ranch crew, contained a cocinero (cook), a rumudero (wrangler), a caporal (foreman), and the vaqueros. Although the cocinero received a higher wage, this position was usually shunned by the vaquero. A proud vaquero resented performing such ranch tasks as mending fences and only in hard times would he stoop to farming or sheep-herding for his livelihood. Mexican ranch hands also took pride in their employer and his possessions and were among the most trustworthy workers found in Texas.<sup>11</sup> While the vaquero regarded the Anglo ranch owner with admiration and sometimes awe, he looked upon the black cowboy with contempt. A vaquero never judged the black as his equal and the supreme insult that a vaquero could express was the comparative phrase "... como un negro (like a nigger)."<sup>12</sup> The Mexican vaqueros also participated in the cattle drives that departed from the South Texas Plains. They traveled to Kansas, Wyoming, and Montana but, unlike the Anglo cowboys, the Mexicans generally returned to the Texas borderlands.

Dobie remarked on the interesting fact that the vaquero usually received a lower wage than did his Anglo counterpart. The former worked more efficiently and was less demanding, although the Mexicans' love for meat often spurred them to leave a high-paying "meatless" ranch for one that paid less but provided its employees with a steady diet of beef or goat's meat.

In his autobiographical book *The Longhorns*, Dobie cited several of the vaqueros whose extraordinary skills awed both Anglos and Mexicans. Tiburcio, a caporal on the San Antonio Viejo Ranch, possessed the uncanny ability to recognize and remember the individual hoof tracks of a cow, steer, or bull. Tiburcio saw an animal and noted its tracks, identified the animal, and followed the prints until he proved his assertion. Ignacio Flores developed a similar skill from living with the Comanche Indians during his youth. He analyzed blades of grass, broken twigs, fallen leaves, and insect marks to discern when the trail had been made and by what type of animal. Jose Beltrain of the O'Connor Ranch was, according to Dobie, the "most astute trapper of wild cattle"<sup>13</sup> in the early days of the cattle industry. Beltrain devised an elaborate system of pens and gates around the Mexican Water Hole to capture the longhorns that ventured in from the adjacent pasture.

Another chronicler of the trail was Sam Ridings who, in his book *The Chisholm Trail* (1936), depicted another type of vaquero that rode the trails from Texas. Ridings' Mexican companions, unlike Dobie's, were illiterate, inefficient, and seldom intelligent. One of the only skills possessed by these vaqueros was their ability to handle stock animals, particularly horses and wild mustangs. Ridings noted, however, that few Anglo cowboys trusted a horse broken by a Mexican.

The author also commented on the superstitious nature of the vaqueros, and how the other cowboys took advantage of these feelings. The Mexicans passionately feared snakes; many vaqueros encircled their beds with a cabestro, or hair-rope, believing that a snake would not cross such a barrier. As a practical joke, Anglo cowboys placed snakes in a vaquero's boots or bedroll and enjoyed watching the reaction. A fear of lightning re-

sulted in many Mexicans lining their sombreros with beeswax, a popularly accepted protection. Some vaqueros were afraid of civet cats, mainly because these animals carried rabies. If one was discovered and killed, the vaquero insisted on moving the campsite. Since civet cats traveled in pairs, the vaquero believed that the mate watched until the men went to sleep and then attacked. If the vaquero was the sole Mexican in camp, he usually spent such a night in the chuck wagon when the other cowboys refused to move the camp.

Also sharing observations about the vaquero was Emerson Hough, a noted writer for the *Saturday Evening Post*. His book, *The Story of the Cowboy*, was based on his recollections of the events and conditions of the cowtrails of the Great Plains. In recounting his stay at the Circle Arrow Ranch in South Texas, Hough observed that a majority of the employees were Mexican. These workers spoke little English and the Anglo cowboys inferred from this that they were unwilling to learn English and, therefore, lazy. The vaqueros, or "Greasers," also fell into disfavor for their extreme cruelty to the stock animals. This prompted Hough to remark that few Anglos wanted a horse broken by a Mexican since the horse's disposition was probably ruined.

Dobie, Ridings, and Hough all noted their impressions of the Mexican vaquero and the part that he played in the cattle trade. The greatest danger in using these authors' works lies in the narrow point of view that the reader receives. The vaquero was neither as loyal and trustworthy as Dobie stated, as superstitious as Ridings observed, nor as lazy and cruel as Hough recounted. These accounts, like all primary writings, reflected the author's own experiences and perceptions. For example, Dobie worked with a group of skilled and intelligent Mexicans while Ridings and Hough interacted with less intelligent and relatively unskilled hired help. These three writers represented the educated and enlightened men who worked in the cattle industry and their opinions should not be construed as representative of the average Anglo worker. Properly approached, these primary works, along with other existing accounts, provide a wealth of untapped information detailing the status of the vaquero on the cattle trails and ranches. With the current interest in Hispanic history and culture, this should become a prime topic for further research and study.



(Branding calves on the range. Col. Jack Miller handling the iron on the 101 Ranch. Courtesy, Tom Fulton, Guest Editor)

#### Native Americans in the Cattle Industry

In researching Native American involvement in the cattle industry, several facts are apparent. First, the Indians inhabiting the lands encompassing the cattle ranges remained nomadic hunters well into the 1880's; by that time the process of driving the cattle to market had been abandoned in favor of rail shipment. The cattle owners regarded these non-sedentary people as possible rustlers (which many times they were) instead of potential employees. Second, the attitudes of the Anglo, Black, and Hispanic cowboys towards the Indians remained one of fear

and hatred even past the time that they ceased fighting. These prejudices usually precluded the employment of Indians to work the trails. Third, even when these nomadic Indians agreed to settle on reservations, many of them continued to survive by hunting instead of by farming and herding. While a small percentage of Indians and mixed bloods did herd cattle and work on Anglo ranches, their importance in the cattle industry involved their role as landowners. *The Cherokee Strip Livestock Association* by William Savage, recounted the story of one particular group of Indians and their relationship to the cattle owners.

The Cherokee tribe received six million acres of land adjacent to the southern border of Kansas in exchange for title to their ancestral lands in Georgia. The grazing potential of this Cherokee Outlet attracted the Kansas ranchers who eagerly moved their cattle onto this rich land. The Cherokee began charging a grazing fee which the ranchers paid only under duress. The federal government and would-be homesteaders became increasingly hostile to the ranchers' leasing of this land from the Indians. This, in turn, prompted the latter two groups to join together to protect their mutually beneficial arrangement. This cooperation between rancher and Indian was unique to the Cherokee Outlet; elsewhere, these groups remained adversaries. Savage's study thus treated the Indian landowner as an integral part of the cattle industry. Political and economic issues forced the active involvement of the tribe in the intricacies of the range industry. The Cherokee needed the money and the rancher wanted use of the land. Pressures from both without and within the tribe rendered this ideal agreement unworkable; the federal government eventually purchased the land and opened it for homesteaders.

Savage's theme involved more than just Indian involvement in the cattle industry. The unique functions of the Cherokee Strip Livestock Association and the federal involvement in the Outlet controversy at a time of *laissez-faire* attitudes were ideas cited by the author as central to his discussion. The topic of Indian ownership of ranch and grazing lands has been treated inadequately in other works about the cattle industry and was only discussed in a peripheral sense in *The Cherokee Strip Livestock Association*.

### Conclusion

This paper, hopefully, illuminates the incompleteness of studies that discuss minorities in the cattle industry. Although the black presence has been acknowledged, there are many facets of the black experience on the ranges and ranches of the Great Plains still remaining to be researched. Minorities helped shape the character of the American cattle industry and their contributions deserve proper recognition.

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2. John Hendrix, "Tribute Paid to Negro Cowmen," *The Cattleman* 22 (February 1936): 24.
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7. For confirmation of this point, see Philip Durham, "The Lost Cowboy," *The Midwest Journal* 7 (1955): 178-179. In May of 1954, the Columbia Broadcasting System aired a radio program based on Durham's work about black cowboys. As Durham wrote, "the response from the radio audience was voluminous and indeed generous, and correspondence was still coming in seven months later. . . ."
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(Huidekoper Cattle, Eastern Montana-Dakota. Courtesy, Montana Historical Society, Helena)



TECHNOLOGY AND PRODUCTIVITY  
IN THE  
PACIFIC NORTHWEST LUMBER INDUSTRY

BY  
DENNIS ROTH\*

For many years the lumber business was the problem child of American industry. When it was not being accused of wasting resources, it was suffering an "economic hang-over" from one of its frequent bouts of overproduction. In addition, the industry's chronic overcapacity, its owners' rugged individualism, and the migratory character of lumber work combined to make it virtually impervious to union organizers. Lumber workers, who had no means to express grievances or improve their working conditions, often resorted to tactics that provoked harsh reprisal from owners and police. When the International Workers of the World ("Wobblies") became moribund in the 1920's, lumber workers were left without any effective labor organization until the late 1930's. In 1945 Vernon Jensen summarized the history of four decades of labor unrest in the Pacific Northwest as follows:

In the essentially frontierlike conditions in which the lumber industry of the West developed, labor relations were tragic. Industrial and social conditions were unstable and organization would naturally have been difficult. When the obstinate attitude of the employers on recognition is considered, it is surprising that there was any unionism at all. A reason for the militant, uncompromising type of unionism which developed lies in the operators' belligerency. Furthermore, the migratory workers in the industry had no weapons apart from those found in direct economic action.<sup>1</sup>

During the last three decades, this picture for the most part has become obsolete. The lumber industry has made better than average technological strides and has become a sustained-yield, capital-intensive industry led by vertically- and horizontally-integrated companies.

In 1929 there were 650,000 lumber and wood workers, making the industry the third largest manufacturing employer. In 1967 the industry's total employment had dropped slightly to 562,000 but its relative position had slipped to fourteenth because the size of the manufacturing labor force had grown since 1929.<sup>2</sup> Although there are fewer lumber workers now than there were in the early twentieth century, those that remain have union representation, are more skilled, better paid, and can count on more months of work each year than their forebears (see Table 1). The "glory days of logging" are definitely over.<sup>3</sup> So, too, are the days when lumbering was one of the most dangerous and insecure of operations.

At the end of the nineteenth century, lumbering existed in close symbiosis with agriculture. Farmers were one of the largest customers for wood products and the complementary seasonal cycles of lumbering (late fall, winter, early spring) and agriculture (late spring, summer, and early fall) allowed agriculture to function as a flexible labor reserve for the lumber industry. As technological change penetrated into the various phases of the industry, lumbering progressively loosened its ties with agriculture. At the same time agriculture was undergoing its own technological revolution, which cut into the supply of rural labor available for temporary employment in lumbering.<sup>4</sup>

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TABLE 1

Annual Variance in Oregon Lumber and Wood Products Employment, 1919, 1947-1978 (In Thousands)

Year	Variance <sup>a</sup>	Year	Variance <sup>a</sup>
1919	162.5	1963	11.1
1947	25.1	1964	16.3
1948	51.5	1965	16.5
1949	74.9	1966	17.0
1950	148.8	1967	10.0
1951	38.6	1968	8.7
1952	66.6	1969	5.8
1953	39.2	1970	11.2
1954	55.9	1971	18.8
1955	35.5	1972	11.9
1956	40.2	1973	9.4
1957	34.7	1974	23.7
1958	46.4	1975	33.3
1959	31.7	1976	17.0
1960	25.2	1977	7.4
1961	41.8	1978	4.1
1962	15.7		

Sources: U.S. Bureau of the Census, *Fourteenth Census of the United States: 1920 - State Compendium, Oregon*, p. 100; data provided by the State of Oregon, Employment Division, Department of Human Resources.

<sup>a</sup>In order to make statistics comparable, the variance for each year was adjusted by the amount its mean deviates from the mean employment for all years.

Technological change and production are interdependent phenomena. Technological change enables production to expand. Conversely, expanding production stimulates industrialists to find new technologies in an attempt to capture larger shares of a growing market. In the case of the lumber industry, the prices received for wood products must also be added as a third term in the equation of technological change.

Prior to World War II, productivity gains in the lumber industry were lower (averaging 1.2% from 1900 to 1957)<sup>5</sup> and more spasmodic than in other industries. This situation was due to the fragmented and highly competitive nature of lumbering and its chronic state of excess capacity. The designing of equipment that would operate under a variety of extreme environmental conditions was difficult given the best of circumstances. The instability of the lumber industry compounded that difficulty because potential innovators could not be sure of a market for new equipment. Moreover, banks and other financial institutions were reluctant to loan money to companies that soon might collapse or pull up stakes when market conditions worsened.

Technological change could make real headway only when inefficient companies were forced to the wall during periods of low or stagnant lumber prices. There have been three such periods during the last 80 years: (1) ca. 1898-1904 when prices were stable; (2) ca. 1919-1925 when prices were below pre-First World War levels; (3) ca. 1953-1968 when prices dropped slightly.<sup>6</sup> (During the Great Depression, productivity gains appear to have been larger in years of low prices but the general scarcity of capital available for technological improvement prevented that relationship from being as clear as it was in other decades). It was the prolonged nature of this last period, along with a steep rise in the cost of buying commercial and government stumpage, which irrevocably modernized the industry. Technological change passed the point of no return. Since then it has become extremely difficult for inefficient undercapitalized producers to re-enter the market. In the words of the Oregon Department of Employment: "The days when a man could invest \$20,000, hang out a help-wanted sign, and be in the lumber business are gone."<sup>7</sup>

The social and environmental conditions existing on the



Pacific Northwest Coast were more favorable than in other regions for the development of mechanized lumbering. Powerful equipment was needed to transport the enormous Redwoods and Douglas Firs. There was no impoverished labor force such as lived in the South, to depress wages and discourage the substitution of machines for men. There was very little snow (at least in the accessible lower elevations) which in the North and Northeast was essential for skidding logs. The lumbering and agricultural seasons coincided and, thus, farmers and agricultural laborers could play only a minor role in the woods and sawmills of the region.

The Pacific Coast lumber industry grew slowly throughout the first seven decades of the nineteenth century. By the 1880's, it was entering a period of rapid expansion which four decades later would make it the leading lumber producing region in the United States. During the 1880's the number of sawmills in the nation dropped by 12%. At the same time the industry's total capitalization soared nearly 200%.<sup>8</sup> Much of this growth occurred on the Pacific Coast as capital left the declining Lake States for the virtually untapped lumber resources of the West.

The process of lumbering can be divided into methods of felling trees, transportation, and milling. The 1880's witnessed significant advances in all three of these phases. Prior to this period, trees had been felled by axes, although saws were used to buck them once they were down. Now cross-cut saws (in combination with axes) were being used to fell trees resulting, in some instances, in a 400% increase in labor efficiency.<sup>9</sup>

The Pacific Coast loggers refined the water transportation methods that had been created in the North and Northeast and the logging railroads common in the South, but it was their invention of the skid road and a giant spool of Manila rope (later wire), powered by steam, called the "Donkey Engine," which were the most important transportation innovations of the period. At first only the largest companies invested in donkeys. By the turn

of the century, many smaller companies followed suit, presumably prodded by the price stagnation that hit the industry at that time and the consequent need to increase labor productivity. As a result of these economic pressures, the number of donkeys in operation on the Pacific Coast jumped to 393.<sup>10</sup>

Measured in terms of the number of innovations and their effects on productivity, the nineteenth century can be characterized as the era of sawmilling. It was easier to adapt steam power, a relatively immobile source of energy compared with gasoline or electricity, to stationary sawmilling machines than it was to equipment that had to maneuver in rugged forest terrain.

Steam-driven saws first appeared in the early nineteenth century. Gang-saws, powerful single-bladed maul saws, and circular saws followed one another in rapid succession each, in its turn, becoming the best thing in milling technology. None of these machines, however, were especially suited for sawing large Pacific Coast logs. Not until the invention in the 1880's of the band saw (huge loops of steel into which teeth had been cut and which stretched tight between fly wheels set above and below the log carriage) was there a machine that could adequately cope with the problem:

In 1889, when the St. Paul and Tacoma Lumber Company opened their Plant A on Puget Sound, it had two band saw head rigs, which could cut two hundred fifty thousand feet of lumber a day. Such a capacity, undreamed of but a few years before, was in large part the result of the adoption of the band saw, an innovation as important in the milling of lumber as the steam donkey and logging railroad were in getting logs out of the woods.<sup>11</sup>

By the end of the nineteenth century, cross-cut saws,



*Donkey engine snaking pine log. Cable and choker on end of log. Six horse team standing at donkey to snake logs from donkey in chute to landing at steam loader on logging railroad. Plumas National Forest, California (Photo by A.G. Varela; courtesy, U.S. Forest Service).*



donkey engines, and band saws were all taking hold in the Pacific Coast lumber industry. In the next five years (ca. 1899-1904), labor productivity increased approximately 18% when measured by the indices of lumber production and the number of workers (see Table 2).

TABLE 2

Lumber Production and Lumber Workers in California, Oregon, and Washington: 1899 - 1937 (1929 = 100)

Year	Lumber Production	Number of Wage Earners
1899	20	31
1904	32	42
1909	49	61
1914	50	56
1919	62	81
1921	51	65
1923	90	106
1925	94	101
1927	95	96
1929	100	100
1931	53	52
1933	43	52
1935	56	67
1937	77	89

Source: Alfred J. Van Tassel and David W. Bluestone, *Mechanization in the Lumber Industry*, National Research Project Report, No. 5 (Philadelphia: Work Projects Administration, 1940), p. 72.

From 1905 to the end of the First World War, lumber prices boomed while labor productivity stagnated. Some technological innovations were introduced during this period, but their effects on productivity were obscured by the large number of firms that were able to enter the market.

Starting in about 1904, electrical power began to be used in some sawmills. Steam engines required a complement of firemen and tenders but when power generation was centralized in an electrical generator, these workers were no longer needed. Alfred J. Van Tassel, who carried out a study of mechanization in the lumber industry during the 1930's, pointed to another important consequence of electricity:

Savings in the cost of power generation are only one phase of the economics attendant upon the use of electric power. The most flexible and adaptable of all forms of power, electricity has increased the tempo of production throughout the sawmill. Electrical equipment, furthermore, is easily adaptable to automatic and semiautomatic control.

Important though not easily measurable savings have followed the greater flexibility of plant lay-out which becomes possible when electricity serves as the source of power. When electric power is employed, the mill designer need not plan the lay-out with a rather clumsy mechanism of shafts and belting as the starting point. He can lay out the simplest arrangement of machines with the most direct and rugged drive for each machine and then select the most suitable motor.<sup>12</sup>

In 1919 the bottom fell out of the lumber market. Prices plummeted and did not recover their former level until 1925. Low prices were once again a stimulus for the diffusion of technological improvements within the industry.

Increases in productivity during the 1920's primarily occurred in methods of transportation (compare Tables 2 and



Wheeling a bunch of logs to the jammer. Brooks Scanlon Lumber Company, Deschutes National Forest, Oregon (Photo by H.R. Spelman, 1928; courtesy, U.S. Forest Service).

3). With the introduction of the internal combustion engine, the way was open for faster and more flexible ways of taking logs out of the woods. Gas replaced steam in donkey engines, creating more power and eliminating labor needed to cut and gather wood for steam engines.<sup>13</sup> Soon the donkey itself became a relic, supplanted in large part by tractors equipped with cable winches. Sky-line yarding equipment appeared in the early 1920's and was rapidly improved upon. An initial average hauling speed of 250 to 450 feet per minute had increased by the middle of the 1920's to more than 1000 feet per minute.<sup>14</sup>



Skidding Douglas-fir logs with tractor and arch, Simpson Logging Company, Mason County, Washington (Photo by R.E. McArdle, 1932; courtesy, U.S. Forest Service).

TABLE 3

Unit Labor Requirements for Lumber Production in the Douglas Fir Region (Man-hours per thousand board feet)

Year	Logging	Milling	Total
1920-1924	12.0	13.0	25.0
1925-1929	8.6	11.1	19.7
1930-1934	6.8	10.7	17.5
1935	5.4	10.5	15.9
1936	5.6	9.1	14.7
1937	6.0	8.6	14.6
1939	5.2	8.0	13.2
1935-1939	6.2	9.8	16.0
1940	5.3	7.8	13.1
1941	5.2	7.8	13.0
1940-1943	6.0	9.4	15.4
1949	5.1	9.0	14.1



Source: John A. Guthrie and George R. Armstrong, *Western Forest Industry: An Economic Outlook* (Baltimore: Johns Hopkins Press, 1961), p. 79.

During the 1920's logging railroads reached the peak of their development, but their position as the sole means of long-distance transportation was already being challenged by logging trucks, which soon became ubiquitous in the Pacific Coast woods. Trucks considerably increased the range over which loggers could operate and opened up hitherto inaccessible stands of timber.<sup>15</sup> Moreover, they improved the climate for sustained-yield logging since, unlike railroads, they did not require a large fixed investment that frequently encouraged the "cut and get-out" method of logging. Truck logging was given even further impetus with the development of the bulldozer which was ideally suited for carving out logging roads.

The 1930's continued the technological trends begun in the 1920's, although at a reduced pace. In the late 1930's, power saws, the first advance in felling trees since the cross-cut saw, were used on an experimental basis in the Pacific Northwest. Rising wages in the 1940's promoted their rapid adoption by logging companies and, by 1950, they were doing 90% of the tree felling and doing it in less than half the time required by the cross-cut saw.<sup>16</sup>

When World War II ended, the Pacific Northwest lumber industry began to enjoy its last tremendous boom. The return of the troops and the lifting of price controls created a strong demand for new housing that had been pent-up during 15 years of depression and war. From 1945 to 1951 wholesale lumber prices climbed 142%. The Oregon lumber industry which, at the time, had the nation's largest stand of virgin timber, responded with a 64.2% increase in production. Twice as many firms were in business and they were employing nearly twice as many workers.<sup>17</sup>

By 1951 the boom had crested and by 1953 it was over. Competition from a revived southern industry ended seven decades of continuous growth in the Pacific Northwest's share of total production. Since 1930, at least 60% of Oregon's manufacturing workers and 12% of its total labor force had been in the lumber and wood products industry. In the 1950's those proportions began to fall and by 1978 stood at 37% and 7%, respectively.<sup>18</sup> Only a three-fold increase in plywood and veneer employment (and an eight-fold increase in plywood and veneer production) prevented an even greater decline in Oregon's wood products industry (see Table 4). Oregon experienced relatively high unemployment rates throughout the 1950's, but its unemployment would have been even higher had not the state diversified its manufacturing base.

TABLE 4  
Production and Employment in the Oregon Wood Products Industry, 1950-1972

Year	Lumber <sup>a</sup> Production	% of U.S. Total	Employ- ment	Veneer & Plywood <sup>b</sup> Production	% of U.S. Total	Employ- ment
1950	8,239	21.7	65,600	1,039,763	37.3	7,200
1952	9,037	24.1	67,300	1,346,333	44.1	10,600
1954	8,851	24.3	59,000	2,080,614	53.3	11,700
1956	8,361	21.9	57,500	3,051,702	58.2	15,600
1958	7,545	22.6	45,700	4,210,396	66.4	18,500
1960	7,401	22.5	44,300	5,159,939	66.0	21,900
1962	7,289	22.0	39,400	6,328,853	66.5	24,000
1964	7,756	21.2	40,100	7,741,853	66.3	26,500
1966	7,316	20.0	37,700	7,865,350	60.3	27,600
1968	7,470	20.5	37,300	8,304,076	56.5	26,100
1970	6,680	19.3	34,200	7,487,807	52.2	24,300
1972	7,943	20.9	38,300	8,634,916	47.1	26,400

Source: Bureau of Business Research, *Oregon Economic Statistics: 1974* (Eugene: University of Oregon, 1975), pp. 77-78.

- a  
In millions of board feet  
b  
In thousands of sq. feet, 3/8" rough basis

As depressed demand and low prices persisted throughout the 1950's and much of the 1960's, a greater premium than ever before was placed on productive efficiency. Since stumpage prices increased nearly ten-fold during this period, tremendous pressure was exerted on firms to utilize every bit of the logs they milled. In the past, small inefficient sawmills located close to timber stands had been able to compete with larger firms but, in recent decades, the needs for efficiency and horizontal integration of production have largely overcome the advantage of location. Sawmills without debarkers and chippers (and other machines for maximum utilization of logs) have been at a serious disadvantage. Many of them went under during the shake-down years of the 1950's. Today the typical sawmill is a highly mechanized plant operated by push-button controls. Most of the sawmilling machines have become one-man operations and jobs involving the feeding and handling of lumber have been eliminated.<sup>19</sup>

Similar improvements in productivity have taken place in logging and transportation methods (see Table 5). Mobile high-lead yarding equipment has eliminated the high-climbing and rig-up work that was involved when spar trees were used and decreased set-up time from a matter of days to hours. The advent of balloon and helicopter methods have added to the logger's repertoire and flexibility. Automatic loading equipment has speeded the movement of trucks.<sup>20</sup> Despite a recent slackening in the pace of productivity increase, the cumulative effect of three decades of continuous technological change has been the thorough modernization of the Pacific Coast lumber industry.

TABLE 5  
Increase in the Amount of Wood Used or Harvested Per Employee in the Washington and Oregon Lumber Industries 1950-1970

	Western Wash.	Eastern Wash.	Western Oregon	Eastern Oregon
Logging	39%	43%	18%	52%
Sawmills and plan- ning mills	33%	43%	49%	38%
Veneer and plywood plants	52% <sup>a</sup>		44% <sup>a</sup>	

Source: Brian R. Wall and Daniel D. Oswald, "A Technique and Relationship for Projections of Employment in the Pacific Coast Forest Products Industries," U.S.D.A. Forest Service Research Paper PNW-189, Pacific Northwest Forest and Range Experiment Station, 1975, pp. 6-18.

- a  
Percentage for state as a whole

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13. *Ibid.*, p. 14.
14. *Ibid.*, p. 34.
15. *Ibid.*, pp. 19, 42.
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17. State of Oregon, Dept. of Employment, *op. cit.*, pp. 7-8.
18. Based on data provided by the State of Oregon, Employment Division, Dept. of Human Resources.
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20. *Ibid.*, pp. 15-23

1948: from trees--



High-lead yarding in 150-year-old Douglas fir. Henderson Creek Sale No. 2, Siuslaw National Forest, Oregon (Photo by Robert H. Ruth, 1948; courtesy, U.S. Forest Service).



A close-up view of the Sikorsky S-64E Skycrane helicopter. The size of this powerful machine used for helicopter logging operations can be seen by comparing the size of the man standing on the fuselage making adjustments on the gas turbine engines, California (Photo by James W. Hughes; courtesy, U.S. Forest Service).

1965: --to steel towers



Logging old growth timber on mist-shrouded mountain slopes in Olympic National Forest, Washington. The portable steel tower is replacing traditional spar tree on many logging operations (Photo by James W. Hughes, 1965; courtesy, U.S. Forest Service).



Sikorsky Skycrane yarding logs during experimental helicopter logging operations, California (Photo by James W. Hughes; courtesy, U.S. Forest Service).



Experimental balloon logging, Oregon (Photo by James W. Hughes; courtesy, U.S. Forest Service).



## NEW



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This section provides a selective listing of recent NAL acquisitions, including books, periodicals, and series. The NAL call number is provided with the citation (if available).

Persons having questions or suggestions concerning this listing should contact Beth Whiting, Cataloging Section, Room 110, NAL Building, Beltsville, Md. 20705.

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- Insect science and its application*. Oxford; New York: Pergamon. vol. 1- 1980-
- Resources and energy*. Amsterdam: North-Holland. vol. 3- 1980-



Persons interested in reviewing books, having books reviewed, or simply having questions about the reviews should address their correspondence to Tom Fulton, Journal of NAL Associates, Room 150, GHI Building, 500 12th Street, S.W., Washington, D.C. 20250.

Fusonie, Alan and Leila Moran, eds. *International Agricultural Librarianship: Continuity and Change*. Proceedings of an International Symposium held at the National Agricultural Library, November 4, 1977. (Westport, Conn., and London: Greenwood Press, 1979, 1x, 128 pp., index, \$18.95.)

This small volume presents papers from a symposium held in November, 1977, at the National Agricultural Library in honor of Foster Mohrhardt, former director of that library and long-time contributor to the cause of international agricultural librarianship. Despite its small compass, it provides ten major papers that deal with a remarkably broad range of topics. Contributors include persons from the United States, Canada, Costa Rica, and the United Kingdom and represent both national level agencies and private bodies, as well as state or regional organizations. There are short but useful footnotes, with references to additional readings attached to some of the articles.

J. Richard Blanchard's paper on "The Changing Nature of Agricultural Librarianship" is basically a survey of the way in which over the past thirty years the National Agricultural Library has grown and developed into a major institution. It is not wholly a chronicle of victories for "The old work ethic has deteriorated. Staff morale in general is not as good as it used to be. We are all more cynical, more critical, and less hopeful.... But in spite of these bleak thoughts, things are better" (16-17). World agricultural libraries have increased in number, changes in instructional methods have brought wider academic use of their resources, and the prospects for more effective management methods and wider international cooperation in the use of resources are good.

Foster Mohrhardt takes up the topic of "Research and Innovations in Agricultural Libraries," under the major headings of "resource collection and sharing," "access to information," "technology and computerization," and the problem of creation of both national and international networks for sharing of information.

The most extensive paper in this symposium is that of Ana Maria Paz de Erickson entitled "Agricultural Libraries and the Spirit of Cooperation: A Continuing Process," which surveys the way in which national, regional, and international programs for the development of agricultural information in Latin America and the Caribbean have been instituted and how they have operated. Although the author notes that the road to cooperation is not easy, she is not daunted by these problems, and her extensive set of footnotes shows that she is well acquainted with the literature, both of success and (relative) failure in her region.

Drawing on his experience in having visited major agricultural libraries in the Western United States and in serving as consultant to the agricultural libraries of Brazil, Richard E. Chapin, Director of Libraries, Michigan State University, concentrates his attention on the differences at the international level. His specific examples are drawn from Brazil, for which he provides a concise and commendably specific account of the organization of libraries and research institutions, noting centralization at a markedly lesser level than is the case in the United States.

By contrast, Paula R. Scott, reference librarian at the California Polytechnic State University, offers an analysis of recent changes within a single institution, one that has recently been affected by what she terms a shift in the view of librarianship from a passive, custodial job to that of an active proselytizing profession emphasizing transition from the old lecture and textbook method to the developing of research abilities in the library.

This symposium does not limit itself solely to the traditional library world for there is a paper from James B. Rhoads, Archivist of the United States, on "International Archival Cooperation - A Catalyst for Development." Although not so closely focussed on strictly agricultural problems, he discusses the manner in which archives and their interrelationships can be of value for the dissemination and utilization of information.

John Sherrod's discussion of the future of international cooperation is not an optimistic one, for he points out factors of cost and complexity that may tend to reduce efforts in the agricultural field as activities in other programs with higher priorities take precedence. He concludes, however, that the ultimate success of any international system for agricultural information in the next ten years will depend on American support which he hopes will be forthcoming.

Donald Leatherdale of the International Development Research Centre of Ottawa deals with international frontiers in agricultural information services, and Frank C. Hirst, Chief Librarian of the United Kingdom's Ministry of Agriculture, Fisheries and Food, treats the contribution of national and international research centers to man's survival. Wallace Olsen, of the National Agricultural Library, surveys probable developments of management in agricultural research libraries over the next thirty years.

This is, as has been said, a remarkably compact book. Its conclusions are by no means all optimistic ones, and the reader is not left with any impression that solution of the problems it discusses will be easy. It does deal, however, with a remarkable range of topics, from those of an international scope to the practices and outlook of a single regional institution. Editing has clearly been careful, both eliminating much of the "filler" material that often appears in such volumes and avoiding merely peripheral topics. Clearly this symposium was worth the time and trouble that it took to organize it.



Reviewed by Lida Allen, Director, Office of Development Information and Utilization, Development Support Bureau, U.S. Agency for International Development, Washington, D.C. 20523. (Reprinted, with minor editorial corrections, from the *Quarterly Bulletin of the International Association of Agricultural Librarians and Documentalists* - *IAALD*, 24, 4 [Fall/Winter 1979]: 108-9.

*Guide to Manuscript Collections in the National Museum of History and Technology* 1978. (Washington, D.C.: Smithsonian Institution Press, 1978, 143 pp., Archives and Special Collections of the Smithsonian Institution, Number 3, free).

This guide describes 357 manuscript collections, the majority of which concern personal papers, business records, or document files. A significant number of the collections deal with graphic material, trade literature, and information and reference files. Excepting information and reference files, official records of the National Museum of History and Technology are not covered in the guide.

Entries are listed under the division of the Museum in which the collections are located. The divisional groups are further subdivided into two sections: information and document files, personal papers, business records, and other collections.

Descriptions of the collections usually include the collection title, dates covered, physical volume, biographical or historical sketches of the subject of the collection, descriptions of the physical types of materials, and aids for accessing the collection.

The detailed 18-page index includes subjects, personal, corporate, and project names, as well as geographic terms. The table of contents provides a numerical listing of the collections as they appear in the guide.

Reviewed by Cynthia Kenyon, Director, Economics, Statistics, and Cooperatives Service Reference Center, U.S. Department of Agriculture.

*Guide to the Smithsonian Archives* 1978. (Washington, D.C.: Smithsonian Institution Press, 1978, 298 pp., Archives and Special Collections of the Smithsonian Institution, Number 2, free).

This guide supersedes the 1971 *Preliminary Guide to the Smithsonian Archives* and includes all records and manuscript collections accessioned and prepared for general use in the Smithsonian Archives before June 1977. Archives of the Anthropology Department of the National Museum of Natural History and the Bureau of American Ethnology are included, as are the records of the National Collection of Fine Arts; some records, however, were retained in the museums for curatorial use.

The guide does not cover collections gathered by Smithsonian curators, publications, major photographic records, or machine-readable archives. Also excluded are the National Anthropological Archives and the Archives of American Art, which exist independently within the Smithsonian.

Part I of the guide covers official records of the Smithsonian Institution. Part II covers special collections, which include research materials, under three headings: Papers of James Smithson and Secretaries; Other Papers and Records, and Oral History Project. The

two appendices reference entries by form (e.g. autographs, drawings, tape recordings), and by date span, 1775-1975.

Each entry in the guide includes the following: the entry title for the record, giving the name of the originating office or person; the type of record; the total chronological coverage, noting only major time gaps; the volume of records in cubic feet or, in the case of small collections, in number of items or volumes. The arrangement of the collection is stated and finding aids are noted if they exist.

There is an index of proper names appearing in the entries, including both personal and organizational names. It should be noted, however, that all names pertinent to the records are not included. The table of contents details the organization and listings included in the guide.

Reviewed by Cynthia Kenyon, Director, Economics, Statistics, and Cooperatives Service Reference Center, U.S. Department of Agriculture.

Heiser, Jr., Charles B. *The Sunflower*. (Norman: University of Oklahoma Press, 1976, 196 pp., illus., \$10.95).

The sunflower originated as a weed in the Great Plains of the United States; Heiser describes it as a "weed that made good" (89). Sunflower is the number two oil crop of the world. Acreage in the United States doubled in 1979; more than five million acres were planted this year (*Fats and Oils Situation*, FOS 296, ESCS, USDA, July 1979).

Heiser's account of the sunflower is a pure delight. He has been a foremost researcher of sunflowers in this country for more than 30 years. The book describes the origin, variation, evolution, ecology, and culture of the sunflower - all of which are presented in direct, lively, understandable terms.

Heiser treats the sunflower as a subject in art and poetry for its beauty, and as a nuisance weed. He describes its migration from America to other countries of the world and back again, its use by the Amerindians, and its evolution as a food crop. Chapter 14 contains a key to species, a description of cultural requirements, and the production of hybrids of ornamental sunflowers. Heiser and his students have made major contributions to knowledge of the genetics, evolution, and taxonomy of sunflowers (cf. C.B. Heiser, Jr., D.M. Smith, Sarah Clevenger, and W.C. Martin, "The North American Sunflowers [*Helianthus*]," *Memoirs of the Torrey Botanical Club*, 22, 1969).

Of sunflowers and art, Heiser notes a painting of "Van Gogh Painting Sunflowers" by Gauguin (23). He describes in words and photographs both double and red sunflowers as well as multi-flora and single flower in Chapter 13. In contrast, the chapter's title "Horse Bouquet" is from an anonymous couplet:

The sunflower 'tis rank and coarse  
'Twould make a lovely bouquet for a horse.

The poetic conceit that sunflowers turn with the sun is a popular belief expressed in the verse of many lands and times. As Thomas Moore's song "Believe Me, If All Those Endearing Young Charms" put it:

As the sunflower turns on her god, when he sets,  
The same look she turn'd when he rose.

<sup>1</sup>Heiser, the botanist, notes:

The facts are: green plants are phototropic and respond by growing toward the source of light.... The common sunflower . . . once the flower head opens, no longer bends toward the source of light (28).

Sunflowers vary in height from a few inches to 20 feet as in the case of the giant sunflower which may approach the latter height and have heads two feet in diameter. Seeds vary from 3.5 gms/1000 to 35 gms/1000. There are 67 species of sunflowers with many races, cultivars, and hybrids. There are both annuals and perennials. The Jerusalem artichoke is a sunflower. Indeed, Russian scientists crossed the Jerusalem artichoke (*Helianthus tuberosus*) with the cultivated sunflower (*Helianthus annuus*). From successive backcrosses to *Helianthus annuus*, they selected cultivars high in oil content and genetically resistant to several diseases. This happened during the period of Lysenko dominance. Heiser put it thus:

Since the oil content of the sunflower increased during Lysenko's tenure, it seems apparent that some plant breeders, while paying lip service to Lysenko's methods, were at the same time practicing the kind of scientific work known to give beneficial results (117-18).

The high oil traits identified by the Russians were introduced into this country's crop by American scientists about 1967, doubling oil yield per ton of seed per acre.

Heiser's many years of work on sunflowers contributed to a second breakthrough in 1969. Leclercq, in France, discovered a source of male sterility in sunflowers which has facilitated the production of high yield, high oil content sunflowers in America. Heiser wrote:

. . . it was the seeds of *H. petiolaris* that I supplied to Patrice Leclercq which enabled him to discover a source of male sterility that has provided a practical method for the commercial production of sunflower hybrids (xx-xxi).

Read the book. You'll like it.

Reviewed by Theodore C. Byerly, former Director of Science and Education, U.S. Department of Agriculture.

Hillman, Jimmie S. *Nontariff Agricultural Trade Barriers*. (Lincoln: University of Nebraska Press, 1978, \$13.50).

This book is an excellent comprehensive text which should serve as a useful primer as well as a quick reference source, first outlining and then describing in depth the various kinds of nontariff agricultural supports employed by the U.S., the EEC, and Japan. Occasional references are also made to developing nations, although this is obviously not the orientation of the study. Both the manner in which the text is organized and the abundance of carefully constructed tables for reference make it a valuable and easy source to use for anyone conducting research in the area. Hillman spends three chapters broadly outlining the evolution and effect of nontariff barriers. In subsequent chapters,

these measures are discussed in great detail on a national or regional basis. Accompanying charts and diagrams are a great aid to the reader. A case study on nontariff barriers on red meats then follows, in order to further illustrate the preceding descriptions. The author concludes the text with a discussion of a more general nature as to the future of nontariff barriers to agricultural trade.

As indicated above, the book is best classified as a compendium or textbook rather than a controversial or original piece of research. This should not, however, negate its merits, as such a work is much needed in the field. At the outset, Hillman's major argument is that while the agricultural sector has always been a well-supported one, the forms which these supports have taken have changed in recent years from tariff barriers to various types of nontariff support. These nontariff barriers - quantitative restrictions, quality standards, export subsidies, etc. - it is argued, require an expanded bureaucracy and are thus, Hillman believes, much more prone to influence by special interests. On the other hand, the author argues that these administrative bureaucracies are sheltered from unorganized interests like those of the consumer. He makes the additional point that, while tariffs are fixed, relatively straightforward measures, nontariff barriers lead to the corruption of civil servants who are in the position of dispensing valuable rights such as quantitative restrictions.

There are several shortcomings in this rather oversimplified account of the administrative process. In the U.S. case, for example, an examination of the history of recent price support legislation would indicate the reverse, that is, that Congress was more susceptible to special interests whereas the administration took a greater interest in overall policy and consumer interests by ruling out support measures of an inflationary nature. When considering the administration of EEC support policies, there is more truth to Hillman's statement. Here, however, the author fails to clearly define the administrative apparatus involved. First, it is unclear as to whether or not he is fully aware of exactly where and how Community policy is made. While in some places he speaks of EEC policy, in others he outlines the nontariff measures of individual nations as if a Common Agricultural Policy did not exist.

Further problems along this line result from a certain level of oversimplification and naiveté on the part of the author with regard to the political apparatus which determines Community policy. The administrative apparatus in this case, though never mentioned, is the Commission; however, the decisions of the Commission are subject to scrutiny by the Council of Ministers, an extremely political body. In addition, by the change over to a policy of direct elections to the European Parliament, this body is exercising more force with regard to the agricultural policy of the European Economic Community (veto power over the budget, etc.). Hillman cannot be faulted for this, however, since the development is so recent, but it is worthy of mention.

There is an underlying concern on the part of the author with the effect of nontariff barriers on developing nations. In his opinion, however, while tariffs result in a nation benefiting at the expense of the rest of the world; nontariff barriers, while reducing world income, also benefit the rest of the world. It is strange that, given this orientation, the author never talks of the most obvious agricultural administrative arrangement seeking to aid the developing nations, that is, commodity agreements. The Sugar Agreement is an especially good example of such an arrangement, yet the author never once mentions it.

Another point of serious disagreement with Hillman concerns his decision to subsume health control standards into nontariff barriers and to make a blanket statement that the standards are used to arbitrarily discriminate against imports. Extensive investigation seems to indicate that this is more the exception than the rule. Health standards are thus best classified separately as



an environmental or sanitary precaution rather than a political strategy.

Hillman concludes his study by raising some of the many problems associated with the process of getting national governments to recognize the need to liberalize agricultural trade policies. Among these is the question of what is the appropriate negotiating body for such arrangements. Should they be carried out under GATT? Once again, Hillman seems to overemphasize the power of the administrative structure in the implementation of nontariff barriers at the expense of other powerful forces. In the U.S. case, for example, his sweeping statement is that Congress gives the Executive a blank check to administer these policies. One need not look further than the defeat of the Sugar Bill to disprove this assertion. In the case of the European Community, powerful domestic interests, especially on the part of France and Germany, far outweigh any collective goals which might be envisioned on the part of the Commission.

The aforementioned flaws stem largely from Hillman's tendency to fall into the trap common to many economists - the turning of one's back on the finer nuances of the structural arrangements for policy-making and the political factors both propelling and being propelled by their actions - instead of focusing on economic variables. Despite this shortcoming, however, the principal strength of Hillman's book is the fact that it serves as a much needed, comprehensive, and intelligible reference source and, as such, ranks as a "Samuelson" on nontariff barriers to agricultural trade.

Reviewed by Carol H. O'Day, Agricultural History Group, Economics, Statistics, and Cooperatives Service, U.S. Department of Agriculture.

Piore, Michael J. *Birds of Passage: Migrant Labor and Industrial Societies*. (New York and London: Cambridge University Press, 1979, x, 229 pp., \$14.95).

Michael Piore's latest book is an attempt to trace the common threads of migration processes and develop a global perspective. Rather than concentrating on individual migration movements, Piore identifies similarities in job opportunities and social factors motivating migrants in various countries at different points in time.

Initially, Piore establishes four basic criteria for the migration process: (1) "the jobs that migrants hold in different countries at different historical time periods seem to be a piece; (2) the strategic factor in initiating the migrant streams to fill jobs is active recruit-

ment on the part of employers or their agents from the developed region; (3) the ease with which employers are able through recruitment to initiate a stream of migration suggests that for all practical purposes, the supply of potential migrants is completely elastic, or, in other words, inexhaustible; and (4) the migration process, once under way, has been extremely difficult to halt." With regard to each of these criteria, the author evaluates migration processes in Germany, France, and the United States. In each country, migrants are generally regulated to unskilled, low paying jobs which connote inferior status, yet differences exist across countries in the jobs considered to represent low status due to variations in the economic structure.

Using statistics showing the occupational distribution of foreign workers, Piore illustrates that in Germany 62 percent of foreign workers are in manufacturing and 16 percent are in construction, while in France 35 percent are in manufacturing and 31 percent are in construction, but in the United States only 33 percent of apprehended aliens are in manufacturing and 16 percent in construction jobs. On closer examination, Piore finds that migrants are an important labor source in automobile factories and construction jobs in Europe, jobs which connote high status and high wages in the United States. Yet these jobs are regarded as low status in Europe. It is the structure of these industries which yields relative status differences in the countries. Piore explores the dual labor market hypothesis and says that migrants are concentrated in secondary sector jobs where there is little job stability and where employment is subject to economic fluctuations. Unionization and the job stability associated with it are thought to generate the high status of the automobile and construction industry in the United States.

Additionally, Piore feels that it is the hierarchy of social status and not income that motivates people to work. Lower rung jobs are unacceptable to most native labor. A possible solution to this problem would be to either eliminate the jobs entirely or raise them socially in the eyes of the community or, as has been done, simply fill them with immigrants. A negative factor of the third solution is that the hiring of immigrants at the lower levels of the occupational structure probably keeps the general wage schedule lower since the employer is not forced to raise the higher status employee's wages to maintain the wage differential in the industry.

Michael Piore, in his book *Birds of Passage*, has tied together many of the loose threads about migrant labor. Conditions common to the migrants of several countries are studied in this book, hence its value extends far beyond the needs of the economist or the sociologist.

Reviewed by Jeanne M. O'Leary, Economist, Office of Personnel Management.



CRADLER—"OLD TIMER."



BUCKEYE TWINE BINDER—1894.  
Aultman, Miller & Co., Akron, O.



As farming has evolved from the art of tilling the soil to the science of agriculture, its structure has become more complex as well. This complexity is reflected in today's divisions of agricultural labor, research, and legislation. Below are listed just a few of the bills pending before the 96th Congress; they reflect, however, the diverse areas of consideration pending before our Representatives - farm labor, migrant labor, occupational health and safety, rural development, price support, and the health and welfare of the American family farm.

For more information on these items, to find the latest action taken or the committees to which the bills have been referred, write to David R. Hoyt, National Agricultural Library Building, Beltsville, Maryland 20705.

H.R. 4151  
REP. PANETTA, ET AL.  
OFFICIAL TITLE AS INTRODUCED:

*A BILL TO AMEND THE FARM LABOR CONTRACTOR REGISTRATION ACT OF 1963, AS AMENDED, AND FOR OTHER PURPOSES.*

#### SUMMARY:

Farm Labor Contractor Registration Act Amendments of 1979 - amends the Farm Labor Contractor Registration Act of 1963 to exclude from the definition of "Farm Labor Contractor": (1) any nonprofit or charitable organization; (2) any farmer, processor, canner, ginner, packing shed operator, or nurseryman who engages in any such activity for the purpose of supplying migrant workers solely for his own operation, including its planting, cultivating, or harvesting of crops to be grown, processed, canned, ginned, or packed in or diverted from its own operation; and (3) any bona fide full-time or bona fide regular employee of any entity referred to in (1) or (2) above who engages in such activity solely for his employer. Defines "fee" to mean any money or other valuable consideration in excess of the actual cost of providing such services paid or promised to be paid to a person for services as a farm labor contractor. Eliminates from the definition of "agricultural employment" the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state. Defines "migrant worker" to include an individual whose primary employment is in agriculture, as defined by the Fair Labor Standards Act of 1939, on a seasonal or other temporary basis, or who performs agricultural labor, as defined by the Internal Revenue Code, on a seasonal or other temporary basis and who is transported from and to his or her permanent domicile each work day in a vehicle owned or controlled by a farm labor contractor, or who cannot regularly return to his or her permanent domicile each day after working hours. Defines the terms "transport," "bona fide full-time employee," "bona fide regular employee," and "agricultural cooperative" for the purposes of the Farm Labor Contractor Registration Act of 1963. Eliminates the payroll records maintenance requirement for any person who is furnished any migrant worker by a farm labor contractor where the contractor pays the worker.

H.R. 6177  
REP. PANETTA, ET AL.  
OFFICIAL TITLE AS INTRODUCED:

*A BILL TO AMEND THE FARM LABOR CONTRACTOR REGISTRATION ACT OF 1963, AS AMENDED, AND FOR OTHER PURPOSES.*

#### SUMMARY:

Farm Labor Contractor Registration Act Amendments - amends the Farm Labor Contractor Registration Act of 1963 to redefine "Farm Labor Contractor" to exclude any farmer, processor, canner, ginner, packing shed operator, or nurseryman who solicits migrant workers for his or her own operation (currently, such exclusion applies only if the individual "personally" solicits). Defines "incidental basis" to mean no more than 20 percent of an employee's total hours of employment during any calendar year.

H.R. 5575  
REP. SYMMS, ET AL.  
OFFICIAL TITLE AS INTRODUCED:

*A BILL TO AMEND THE FARM LABOR CONTRACTOR REGISTRATION ACT OF 1963, AS AMENDED, AND FOR OTHER PURPOSES.*

#### SUMMARY:

Amends the Farm Labor Contractor Registration Act of 1963 to redefine "farm labor contractor" to exclude: (1) any farmer, processor, canner, ginner, packing shed operator, or nurseryman who solicits migrant workers for his or her own operation (currently, excluded only if personally solicits); and (2) any employee of such individuals or nonprofit organization who solicits migrant workers solely for his or her employer (currently, excluded only if on no more than an incidental basis).

H.R. 4397  
REP. EDWARDS, J.  
OFFICIAL TITLE AS INTRODUCED:

*A BILL TO AMEND THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 TO IMPROVE THE ADMINISTRATION OF SUCH ACT, TO ESTABLISH MORE EFFICIENT REGULATORY PROCEDURES FOR CARRYING OUT SUCH ACT, AND FOR OTHER PURPOSES.*

#### SUMMARY:

Occupational Safety and Health Reform Act of 1979 - amends the Occupational Safety and Health Act (OSHA) of 1970 to exclude from the definition of "employer" for purposes of such Act: (1) non-agricultural employers of not more than 25 employees; and (2) small farmers (as defined by the Act). Authorizes an employer to establish a safety committee for purposes of such Act without being in violation of the National Labor Relations Act. States that the Secretary of Labor will not propose any rule formulating a new occupational health or safety standard before he: (1) has, as part of each such proposal, reviewed and published in the Federal Register the financial impact of such proposed standard; and (2) has determined with due regard for that impact that the benefit to be derived from such standard justifies such proposal. Provides that no standard shall require an employer to phase out, change, or replace existing equipment or facilities before the normal useful life of that



equipment or facility has expired unless failure to do so would result in a serious violation. Provides that protective equipment or technological procedures other than those prescribed by OSHA standards may be used by an employer where they will afford: (1) adequate protection to the employees; and (2) not create any new health and safety hazards. Stipulates that no OSHA rule may take effect unless: (1) the Secretary transmits to the Senate and the House a copy of the proposed rule, together with a statement indicating its financial advantages exceed its financial disadvantages; and (2) the Congress does not disapprove such rule by concurrent resolution within 60 days. Directs that emergency temporary standards take effect in 30 days rather than immediately. Requires the Secretary to: (1) make an evaluation of existing standards and their applicability to each business or industry; (2) make a determination of employees to be excluded from such standards; (3) prescribe, as part of each standard adopted under such Act, the estimated average and maximum cost to the average employer subject to such standards, and the time period for meeting such standard; and (4) rescind an existing standard or not establish a new standard, if the Secretary determines it is impossible to comply with such standard within a specified time. Directs the Secretary to provide an employer with advance notice of an inspection where such notice: (1) would allow the employer to have management or consultant personnel present at the inspection; and (2) would not defeat the purposes of such Act. Authorizes the Secretary to require or provide for physical examination of new employees. Provides that an employer found to be in violation of an OSHA rule of standard after an inspection shall receive a notice (rather than a citation as presently provided for). Stipulates that such notice shall: (1) be written; (2) describe with particularity the alleged violation; (3) set a time not less than 90 days for such violation to be abated; (4) suggest with particularity a course of action for such violation's abatement; and (5) be posted at the scene of such violation. Requires any such notice to be issued within six months of a violation's occurrence. Stipulates that an employer not in compliance with any rule or standard promulgated under such Act shall not receive a notice for such violation if he is able to show that: (1) implementing such rule or standard would not materially affect the safety or health of employees in the inspected facility; (2) he has employed adequate notice and executed reasonable efforts to obtain the compliance of his employees, and that such violation was attributable to such employees and he could not have reasonably prevented such violation; and (3) he has employed alternate procedures to effectively protect his employees. Directs the Secretary to refer unabated violations to the Attorney General, and stipulates that any civil action brought under this provision shall be brought in a United States District Court. Authorizes the Secretary to enter into voluntary compliance agreements with employers. Repeals the provision authorizing the Solicitor of Labor to represent the Secretary in civil OSHA litigation. Directs the Secretary to make consultation visits to a workplace upon an employer's request. Authorizes the Secretary to provide technical assistance and consultation to employers with less than 100 employees to help them comply with standards promulgated under such Act. Authorizes the Secretary to make grants to enable employers to comply with certain standards.

H.R. 4755  
REP. SIMON

OFFICIAL TITLE AS INTRODUCED:

*A BILL TO REQUIRE THE SECRETARY OF LABOR TO ESTABLISH A PILOT PROGRAM FOR THE PROVISION OF GUARANTEED EMPLOYMENT OPPORTUNITIES IN SELECTED COUNTIES OF THE UNITED STATES.*

SUMMARY:

Pilot Guaranteed Employment Opportunities Act - directs the Secretary of Labor to conduct a pilot program in up to 20 counties having populations of 20,000 or less

designed to provide employment opportunities for unemployed persons from low income households. Includes among the elements of the pilot program: (1) partial reimbursement of private businesses for wages paid to newly employed eligible individuals; (2) partial reimbursement of state and local government for wages paid eligible individuals employed in community improvement related jobs; and (3) reimbursement at a rate equal to the Federal minimum wage for wages paid to eligible persons who are employed in jobs created for those individuals not employed in jobs under (1) or (2). Directs the chief executive officer of each participating county to establish an advisory council to assist in carrying out this Act.

H.R. 5114

REP. BURGNER, ET AL.

OFFICIAL TITLE AS INTRODUCED:

*A BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT TO PREVENT THE ILLEGAL ENTRY AND EMPLOYMENT OF ALIENS IN THE UNITED STATES, TO FACILITATE THE ADMISSION OF ALIENS FOR TEMPORARY EMPLOYMENT, TO REGULATE THE ISSUANCE AND USE OF SOCIAL SECURITY ACCOUNT CARDS, AND FOR OTHER PURPOSES.*

SUMMARY:

Illegal Alien Control Act of 1977 - directs the Attorney General to establish a border patrol force of not less than 3,800 officers. Directs the Attorney General to report to the President and the Congress on the feasibility of: (1) establishing a system for issuing machine-readable identification cards to aliens entering the United States; and (2) utilizing the most current technology in electronic sensing devices in patrolling land borders. Amends the Immigration and Nationality Act to exclude from the definition of the term "immigrant" those persons entering the United States for a period of not more than one year to perform temporary services or labor if the Secretary of Labor has determined and certified to the Attorney General that there are not sufficient workers available at the aliens' destination who are willing and able to perform such services. Directs the Secretary to refer to employers who request such certification, workers in the number desired, able and qualified, and who agree to present themselves to commence employment on the date and for the period specified. Directs the Secretary of Health, Education, and Welfare to issue social security cards for aliens who may be employed or receive public assistance in the United States. Specifies the information which an alien must provide when applying for a social security card. Requires the applicant to supply either proof of the individual's citizenship or alien status, or an affidavit that the individual was assigned a social security account number at least five years before the date of application for the card. Prohibits the employment or provision of public assistance to an individual specified in this Act unless such individual presents a social security card to the employer or agency and the employer or agency submits required information to the Secretary. Establishes a civil penalty for the violation of such prohibition. Prohibits the employment or provision of public assistance to an alien whose status under the Immigration and Nationality Act does not permit such alien to work or receive public assistance. Establishes penalties for presenting false social security card or providing fraudulent information in order to obtain employment or public assistance. Amends the Comprehensive Employment and Training Act of 1973 to prohibit the use of Federal financial aid to provide job training or employment opportunities to aliens who are not authorized to work or who are illegally in the United States. Amends the Internal Revenue Code to prohibit income tax deductions for wages paid to aliens who are illegally working in the United States. Amends the Immigration and Nationality Act to prohibit the Secretary of Labor, when adjudicating the petition of an alien for admission to perform skilled or unskilled labor, from considering the work experience gained by the alien in the United States during any time while in an immigration status in which employment was not authorized for the alien. Amends the Social Security Act to prohibit the payment of aid to families with dependent children

benefits and medicaid benefits to illegal aliens. Adds border crossing cards, alien registration receipt cards, and other documents prescribed by regulation for entry into the United States to the list of documents the false making of which shall be punished by fine or imprisonment or both.

H.R. 5128  
REP. LUNGREN, ET AL.  
OFFICIAL TITLE AS INTRODUCED:

*A BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT TO ESTABLISH A PROGRAM TO PERMIT NATIONALS OF MEXICO TO ENTER THE UNITED STATES TO PERFORM TEMPORARY SERVICES OR LABOR.*

SUMMARY:

United States - Mexico Good Neighbor Employment Act of 1979 - amends the Immigration and Nationality Act to direct the Attorney General to establish a program for the non-immigrant admission of Mexican nationals as temporary workers in the United States. Provides that: (1) the Attorney General shall establish annual and monthly quotas for temporary worker visas based on the chronological order of application; (2) such temporary services or labor shall not exceed 180 days per year; (3) such visas shall not limit the geographic area or employment within which an alien may work unless specific restrictions are requested by the Secretary of Labor in order to protect domestic workers; (4) an alien who violates the 180-day visa limitation or any imposed geographic restriction shall be ineligible for another temporary visa for five years; and (5) an alien who enters the United States illegally shall be ineligible for obtaining a temporary work visa for ten years. Excludes such temporary Mexican workers from the definition of "immigrant" for purposes of the Immigration and Nationality Act. Includes such workers within the category of aliens whose non-immigrant status may not be adjusted to that of an immigrant. Prohibits the Attorney General from consenting to the reapplication for admission of any such workers whose 180-day limitation has been exhausted. Authorizes the Secretary of State to establish and expand United States consulates in Mexico in order to implement such temporary worker program. Directs the Secretary of Labor to make the nature of such program known to Mexican nationals residing in the United States. Expresses the sense of the Congress that the President should establish with Mexico an advisory commission to advise the Attorney General with regard to such temporary worker program.

H.R. 6295  
REP. NOLAN, ET AL.  
OFFICIAL TITLE AS INTRODUCED:

*A BILL TO ENCOURAGE THE OWNERSHIP AND DEVELOPMENT OF FAMILY FARMS, TO PROVIDE FOR RESEARCH AND EDUCATION RELATING TO FAMILY FARMS, TO AUTHORIZE THE PRESIDENT TO STABILIZE FOOD PRICES, TO AUTHORIZE THE SECRETARY OF AGRICULTURE TO PROVIDE FINANCIAL ASSISTANCE FOR THE PRODUCTION OF INDUSTRIAL HYDROCARBONS AND ALCOHOLS FROM AGRICULTURAL COMMODITIES AND FOREST PRODUCTS, AND FOR OTHER PURPOSES.*

SUMMARY:

Family Farm Development Act of 1980 - Title I: Family Farm Development Service - establishes within the Department of Agriculture a Family Farm Development Service, containing a research board, which shall devise a national long-term plan for the development of a system providing incentives enabling small and moderate-size family farmers to increase the energy efficiency of their farming operations. Directs the administrator of the Family Farm Development Service to submit to the Secretary of Agriculture and to the Congress: (1) a report containing such plan before the end of the three-and-

one-half-year development period; and (2) an annual report on specified activities. Title II: Research Program - directs the administrator of the Family Farm Development Service to conduct an intensive research grant program concerning the improvement of small and moderate-sized family farms. Directs the Secretary to submit to the President and the Congress an annual report, with recommendations, on such research program. Title III: Education, Training, and Demonstration Programs - amends the Rural Development Act of 1972 to establish extension programs providing small farmers with education and demonstration assistance, using para-professionals. Directs the Secretary: (1) to provide small farmers with pest control and soil improvement instruction; (2) to establish a program encouraging family farmers to hire and train apprentice farmers; and (3) to establish a scholarship program for farmers and potential farmers to study organic farming methods in foreign countries. Title IV: Loans for Appropriate Technology - amends the Consolidated Farm and Rural Development Act to include the payment of costs of appropriate technology use and those incident to instituting methods of sustainable agriculture and integrated pest management among the purposes for which loans may be made or insured under such Act. Sets as a condition for eligibility for such loans being a resident of the U.S. (formerly required U.S. citizenship). Provides that loans made or insured to institute sustainable agriculture and integrated pest management methods shall be repayable in installments determined by the Secretary to reduce initial repayments. Title V: Amendments to the Internal Revenue Code of 1954 - Farm Tax Equity Act of 1980 - amends the Internal Revenue Code of 1954 to limit the deductions attributable to the trade or business of farming to a maximum amount consisting of the sum of the taxpayer's gross income plus \$17,500 reduced by the amount by which the nonfarm adjusted gross income of such taxpayer exceeds \$17,500. Provides for an annual inflation adjustment of such amount. States that such limitation shall not apply if the taxpayer's nonfarm adjusted gross income does not exceed \$17,500, or if the taxpayer elects to compute his taxable income on the accrual method of accounting. Requires the accrual method of accounting for any person engaged in the trade or business of farming whose gross income from farming exceeds \$100,000, or an amount adjusted for inflation. Provides for a capital gains tax applicable to transfer of rural land by foreign investors. Requires specified reporting procedures relating to such tax. Title VI: Family Farm Ownership Program - authorizes the Secretary to make grants of from \$100,000 to \$500,000 to units of general local government and to sell such land to new or young farmers. Requires the Secretary to give priority to applicants who demonstrate that the preservation of family farming is of vital importance to the area in which the applicant is located. Establishes revolving fund accounts of grant recipients. Sets forth provisions concerning selection of purchaser and conditions of sale. Title VII: Industrial Hydrocarbons and Alcohol - authorizes the Secretary to make, and to guarantee, loans for the construction and first year operation of facilities to produce industrial hydrocarbons and alcohols from agricultural commodities, forest products, and their byproducts for direct use or blending as motor or industrial fuel. Declares eligible for such assistance, upon application: any producers who operate a family farm or group of such producers, any nonprofit organization, and any state or local government. Sets forth: the terms of agreement required from recipients of such aid; limitations on financial assistance; consequences of noncompliance with conditions for such aid; and exemption of specified surplus commodities from marketing agreements on orders. Title VIII: Farm Marketing Programs - directs the Division of Cooperative Marketing of the Department of Agriculture to give primary emphasis in services to small and moderate-sized family farmers. Amends the National School Lunch Act to direct the Secretary to make cash payments to State educational agencies, upon application, in lieu of not to exceed 25% of the value of the commodities such agencies would have received under the school lunch program. Requires that such cash payments be used by such agencies to purchase program commodities designated from time to time by the Secretary or the State Governor as being in abundance in the school area. Directs the Secretary to



establish and carry out pilot projects in 12 states under which county extension offices will use computer terminals to assist family farmers in attaining information clarifying various market alternatives. Authorizes the Secretary to make grants, not to exceed 75% of costs, to establish a direct marketing system between consumers and farmers. Title IX: Food Price Stabilization - establishes a Food Price Review Board to monitor increases in the price of any food product, and to recommend to the President the issuance of orders limiting or adjusting the amount of any such increase so that it is equal to, and not more than, the amount of any increase in the price received by the grower or producer of any raw food product involved. Empowers the President to issue such orders. Title X: Miscellaneous Amendments; Definitions - amends the Federal Trade Commission Act to make it an unfair or deceptive practice affecting commerce for any person engaged in the retail sale of food to sell any food product without a sign at the point of sale containing the amount received by farmers for the agricultural commodities which were used to produce the food product involved. Amends the Legal Services Corporation Act to include farmers and individuals residing in counties with populations of less than 50 persons per square mile among those whose special difficulties of access to legal services or special legal problems should be taken into account by the Legal Services Corporation to make grants and contracts for research and for information clearinghouses on legal issues and governmental administrative practices involving farm ownership and operation. Authorizes appropriations for fiscal year 1981 for such purposes.

S. 369  
SEN. BUMPERS, ET AL.  
OFFICIAL TITLE AS INTRODUCED:

*A BILL TO PROVIDE PRICE AND INCOME PROTECTION FOR AGRICULTURAL PRODUCERS BY ASSURING SUCH PRODUCERS A PRICE FOR THEIR AGRICULTURAL COMMODITIES OF NOT LESS THAN THE COST OF PRODUCING SUCH COMMODITIES; TO ASSURE CONSUMERS AN ADEQUATE SUPPLY OF FOOD AND FIBER AT REASONABLE PRICES; AND FOR OTHER PURPOSES.*

#### SUMMARY:

Consumer and Agriculture Protection Act of 1979 - establishes a National Board of Agricultural Governors, independent of the Department of Agriculture and consisting in part of agricultural producers, whose primary duty shall be the annual establishment of cost of production prices for cotton, feed grains, rice, soybeans, sugar and wheat. States that such prices shall take into account: (1) machinery ownership costs; (2) general farm overhead costs; (3) a value for the management services contributed by the producers; (4) labor costs; and (5) a value for the land utilized. Requires the Secretary of Agriculture to guarantee or have direct nonrecourse loans to producers of nonperishable specified commodities. Specifies formulae for the determination of loan levels and conditions for the calling of such loans. Directs the Board to establish mandatory release prices for each commodity, expressed in terms of a percentage of the cost of production price plus storage costs and interest charges. Requires the release for domestic or export sale of a portion of a commodity under loan, when such commodity's market price reaches the mandatory release price level. Requires the Secretary to establish and maintain a National Commodity Reserve of cotton, feed grains, rice, soybeans, sugar, and wheat, for provision during national emergencies and for the protection of producers from depressed prices. Requires the Secretary, upon receiving written production estimates from producers prior to the production year, to determine and announce production adjustments if he finds that, in the absence of such adjustments, domestic stocks, including Reserve quantities, will exceed domestic and foreign demand and the replenishment needs of the Reserve. Directs the Board to apportion production cutbacks and mandatory set-asides among producers equally. Specifies civil penalties for the use of land removed from production for harvesting any crop or for

grazing. Provides for coverage under this Act of any commodity not specified, by means of a petition and majority-vote referendum among the producers of such commodity. Permits the termination of such commodity, whether specified or unspecified, by the same means. Bars the importation of a specified commodity at less than the domestic cost of production price, adjusted for transportation and handling costs. Authorizes the Board to impose price maintenance custom duties on imported agricultural commodities. Prohibits the purchase of domestic specified commodities for foreign assistance programs at less than cost of production prices.

S. 1000  
SEN. MORGAN  
OFFICIAL TITLE AS INTRODUCED:

*A BILL TO AMEND TITLE V OF THE HOUSING ACT OF 1949.*

#### SUMMARY:

Extends specified farm housing programs of the Farmers Home Administration under the Housing Act of 1949. Authorizes appropriations for fiscal year 1980 for: (1) loans and grants for repairs or improvements of rural dwellings and financial assistance to provide low-rent housing for domestic farm labor; (2) loans and grants for mutual and self-help housing programs in rural areas and small towns; (3) the Self-Help Housing Land Development Fund; and (4) grants for the development of technical and supervisory assistance programs in rural areas with Federal, State, and local housing programs for low-income families. Extends through fiscal year 1981 the authority of the Secretary of Agriculture to insure loans which provide rental and cooperative housing for the elderly or others of low-and moderate-incomes and to insure and make loans for housing and buildings on farms owned by low-or moderate-income families. Permits the Secretary to make or insure loans for 40% of the units in multifamily cooperative or rental housing projects. Authorizes appropriations for fiscal year 1981 of such sums as may be necessary to carry out programs and activities for which appropriations for the fiscal year 1980 are authorized by this Act.



("Outils de Jardinage" from  
*Encyclopédie Methodique* . .  
., 1796-97)



## EXHIBITS

One of the basic purposes of retrospective exhibits is to stimulate and educate the viewers about the kinds of materials that the National Agricultural Library acquires, preserves, and makes available to the user. In some instances, viewers have developed a new reading and research interest and have even donated items to the Library. Many of these exhibits have provided opportunities to build good will and to develop stronger relationships with other institutions. Over the past five years, the following exhibits have received favorable comments: "Art in the Service of Horticulture;" "The Heritage of the Potato;" "The Heritage of American Agriculture;" "George Washington, The Farmer;" "The Heritage of Agriculture in Maryland: 1776-1976;" "Early Taxonomic Literature;" "Gardens and Landscapes;" "Science and Agriculture," and "Plant Introduction and Exploration."

"Land and Cattle," a dramatic exhibit on a vanishing American art form, was returned to the Museum of New Mexico in Santa Fe after a six-week engagement at the National Agricultural Library. In a manner suggesting nostalgia, the exhibit portrayed the age-old skills of cattlemen and cowboys, from branding cattle to mending fences to busting broncos. The exhibit focused on the life of a late New Mexico rancher - Joe Pankey, 87 - from the beginnings of his modest ranch at the turn of the century to his several-thousand-acre operation of today. It also depicts the unique way of life of cattle ranching between the Rio Grande and the San Mateo Mountains. Set against rugged New Mexico scenery, the exhibit was offered through the Museum of New Mexico and was co-sponsored at USDA by the Science and Education Administration. Attending the exhibit's premiere at Beltsville, Md., were assistant secretary Alex Mercure - also a New Mexico native - New Mexico Governor Bruce King, rancher Pankey and family, and Senator Pete Domenici from New Mexico.

"Land and Cattle: The Story of a New Mexico Rancher"  
Retrospective Exhibit of Photos, Books, Artifacts  
October 25 - December 7, 1979  
National Agricultural Library Building  
Beltsville, Maryland



(Rancher Joe Pankey, center, and son Reuben, left, chat with New Mexico Governor Bruce King at exhibit opening. Courtesy, U.S. Department of Agriculture)



(Rancher Joe Pankey, left, his wife, and son Reuben view exhibit at opening ceremony. Courtesy, U.S. Department of Agriculture)

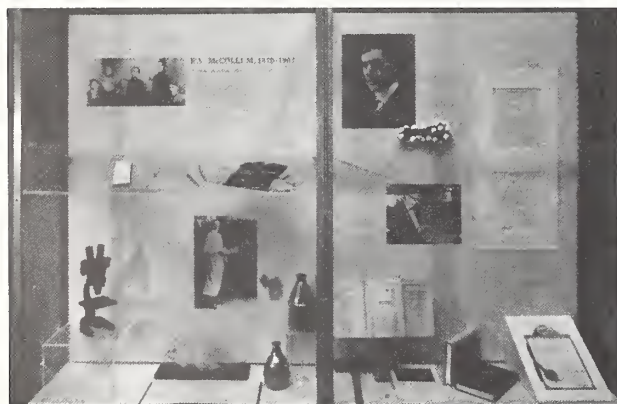




(Photos courtesy of Jack Parsons)

"Elmer Vernon McCollum: An Exhibit of Photos, Books, Artifacts"  
January 22 - March 28, 1980  
National Agricultural Library Building  
Beltsville, Maryland

A traveling exhibit, on loan from the University of Kansas and the E.V. McCollum Commemorative Committee, was displayed at the National Agricultural Library by the Science and Education Administration. Sponsored by SEA, the exhibit featured the life and achievements of Dr. McCollum (1879-1967), who grew up on a Kansas farm and went on to become a pioneer in modern nutrition. In 1913, Dr. McCollum detected the important role of vitamin A and, in 1922, discovered vitamin D. (Photo courtesy of the E.V. McCollum Commemorative Committee and Archives of the University of Kansas).



One of his many writings which was entitled *Newer Knowledge of Nutrition* and was first published in 1918 became a classic text appearing in several editions and in many languages. Throughout his life, McCollum reflected a positive philosophy for daily life. For McCollum, "... the first element of importance in attaining a successful life [was] enthusiasm for what one does."

"Dr. George M. Darrow: The Story of An Eminent Breeder of Strawberries"  
A Retrospective Exhibit of the Literature, Illustrations, and Plant Specimens  
June 1 - July 31, 1980  
National Agricultural Library Building  
Beltsville, Maryland

The scientific literature and accomplishments of George M. Darrow in the cultivation of strawberries are highlighted in this exhibit. During his 46-year career as principal horticulturist with USDA, Dr. Darrow, now 91, made wide-ranging contributions to the improvement of fruit cultivars in this country. His research included the breeding and improvement of blackberries and blueberries, and the hybridization of flowers. A disease-resistant strawberry cultivar and a blueberry variety free of ringspot virus were named in his honor.

Dr. Darrow was born in Springfield, Vt., February 2, 1889. He joined USDA in 1911 after graduating from Middlebury College in Vermont (1910) and receiving an A.B. degree in horticulture from Cornell University (1911). He received his Ph.D. degree at Johns Hopkins University in 1927, having done graduate work in plant physiology and genetics.

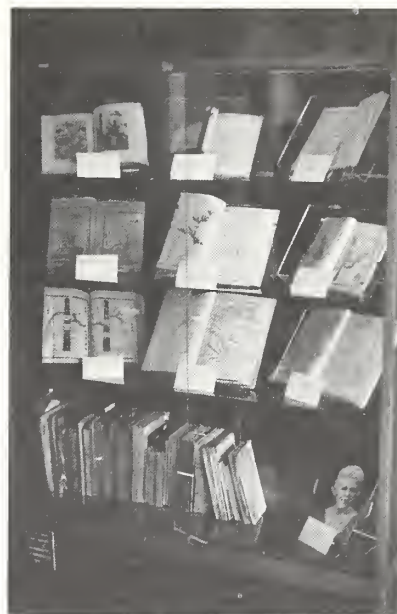
At USDA, Dr. Darrow researched problems relating to the influence of climate on fruits and how fruits are produced, handled, and transported. He became one of the leading breeders of strawberries and blueberries. In 1965, the Darrow blueberry, free of ringspot virus, was introduced. Dr. Darrow had helped to domesticate the blueberry and bring it into cultivation. He and his associates devised a technique that is still used to screen strawberry seedlings for their susceptibility to red-stele root rot, a strawberry disease prevalent in the northern half of the United States.

Dr. Darrow retired from USDA in 1957 and became a consultant to the Department. His prolific writings on fruit cultivars are considered outstanding. Secretary of Agriculture Henry Wallace (1933-1940), in the preface to Darrow's masterful book, *The Strawberry: History, Breeding, and Physiology*, called him "one of the great strawberry experts of the world." The book depicts cultivar improvements of the strawberry over the years, and accomplishments through cooperative work with State agricultural experimental stations, strawberry nursery operators, and international strawberry breeding organizations.

This exhibit is offered through the help of the Beltsville Agricultural Research Center Fruit Laboratory and the Historic and Rare Book Program of the National Agricultural Library, Beltsville, Md.



**STRAWBERRY BREEDER HONORED**--Dr. George M. Darrow (center), an eminent breeder of strawberries at the U.S. Department of Agriculture's Beltsville, Md. Research Center for 46 years, samples strawberries from the Center during a ceremony opening a retrospective exhibit honoring him at the National Agricultural Library Building, Beltsville. Dr. Paul Putnam, acting director of the Beltsville Center (left), and Dr. Richard A. Farley (right), administrator for Technical Information Systems/National Agricultural Library, Science and Education Administration, USDA, assist the 91-year old retired scientist with the sampling. Members of the Md.-U.S. Cooperating Strawberry Breeding Nurserymen also attended the ceremony. Dr. Darrow, born in Springfield, Vt., is a long-time resident of Glendale, Md. (Courtesy, U.S. Department of Agriculture).



## DONATIONS

A rare set of books on an ancient Japanese art form was recently donated as a memorial to the National Agricultural Library. The 53-volume collection, printed starting almost 300 years ago, deals with the Japanese art of flower arrangements known as Ikebana. The collection was donated to the National Agricultural Library by the Washington, D.C. chapter of Ikebana International in memory of the chapter's founder Ellen Gordon Allen.

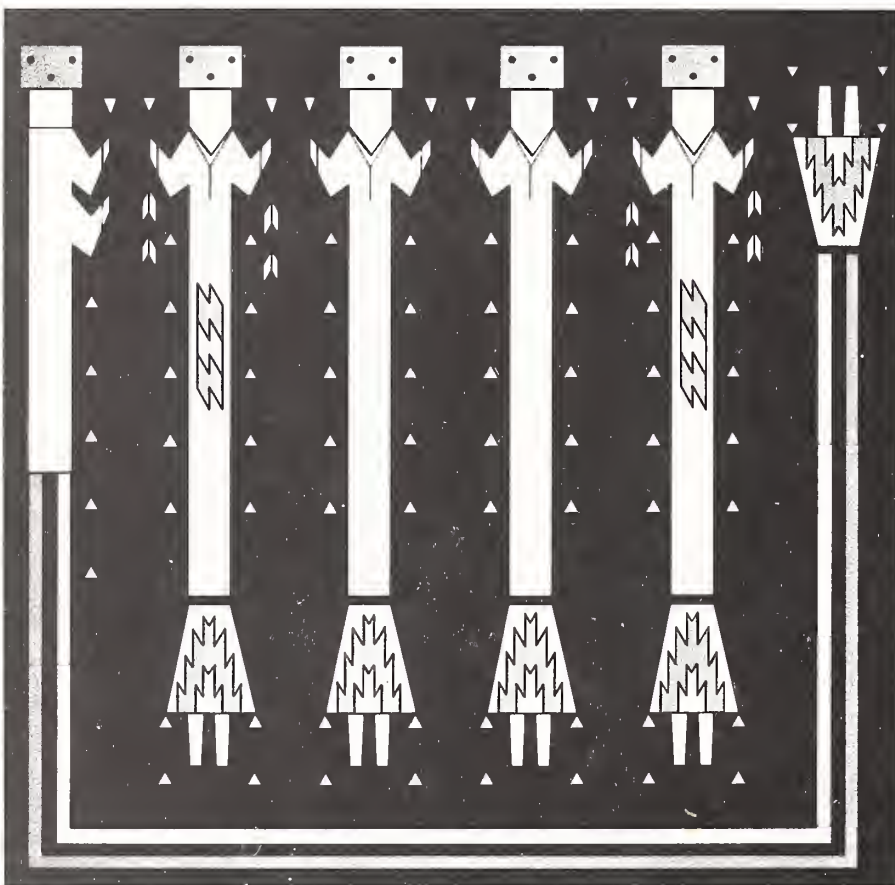


At a ceremony acknowledging the donation were chapter president Barbara Buchanan (second from left) and Helen Godbey, chairperson of the chapter's memorial committee. In attendance for USDA to accept the collection were Dr. John L. Creech (left), director of the National Arboretum, and Dr. Richard Farley (right), deputy director of the Technical Information Systems. Ultimately, the priceless collection will be housed at the National Arboretum. (Photos courtesy, U.S. Department of Agriculture).



## FREE PUBLICATIONS

*Guide to Services. . . Technical Information Systems, National Agricultural Library* (U.S. Department of Agriculture, Science and Education Administration).



*Agriculture of the American Indian: A Select Bibliography* (U.S. Department of Agriculture, Science and Education Administration, Economics, Statistics, and Cooperatives Service, Bibliographies and Literature of Agriculture, No. 4).

Both publications are available free. Send self-addressed envelope to the Reference Division of the Technical Information Systems, National Agricultural Library, Beltsville, Md. 20705.

## AWARD CEREMONIES

Eighteen federal employees were recognized on May 30, 1980 for their outstanding work in library and information science in a ceremony at the National Agricultural Library Building, Beltsville, Md.

The keynote address was delivered by Dr. H. Joanne Harrar, Director of Libraries, University of Maryland, College Park. The awards were presented by Dr. Richard A. Farley, Administrator of Technical Information Systems (TIS), Science and Education Administration (SEA), U.S. Department of Agriculture. Twenty-four length of service awards also were made by Dr. Farley to persons who worked for the Federal Government from ten to forty years.

A Cooperative Education Program, involving students of Hispanic heritage from New Mexico Highlands University, Las Vegas, New Mexico, was singled out for an Equal Employment Opportunity (EEO) citation (see following page). William Yagodich, TIS, received the EEO award for his work as program coordinator.

Nine individual awards for superior performance were given to these TIS employees: Irene Glennon, Leila P. Moran, Jesse I. Ostroff, Annette Rojas Suzanne Socker, and Shirley Souder, all of Library Operations Division (LOD); Margaret P. Kennedy and June E. Sullivan, both of Informa-

tion Systems Division (ISD), and Helen L. Young, Management Information Systems (MIS). A group performance award went to LOD's Patsy Bennett, Betty Daniel, Victoria O'Coin, Gloria Pugh, and Osborne Turner.

Quality increases were announced for Diana Claburn, John Gray, and Carl Younger, all of LOD. A Suggestion Award was made to William Yagodich in addition the EEO citation. Maria Z. Woroniak, Head of the LOD Analysis Branch, was given a special award for supervising installation of three new automated indexing systems and for other related work.

The top length-of-service awards went to Morton M. Tepper, 40 years; Osborne Turner, 35 years; Isaiah Jesse Ostroff, 30 years; and Mortimer L. Naftalin and Otto Wilkins, 25 years. Others recognized for their service were:

20 years service: Edith L. Fifer, Eudella E. Jones, W.H. Longenecker, Wallace E. Reeves, Gabor Szent-Ivany, Philip A. Turner, Ruth W. Wertman, and Helen L. Young.

10 years service: Reuben E. Altizer, Theodore K. Bauer, Lois J. Franklin, Alan Fusonie, Thomas Alan Jones, Patricia Ann Krug, Carol A. Johnson, F. Allen Moore, Shirley A. Paull, Arlene R. Sperber, and Barbara G. Thompson.

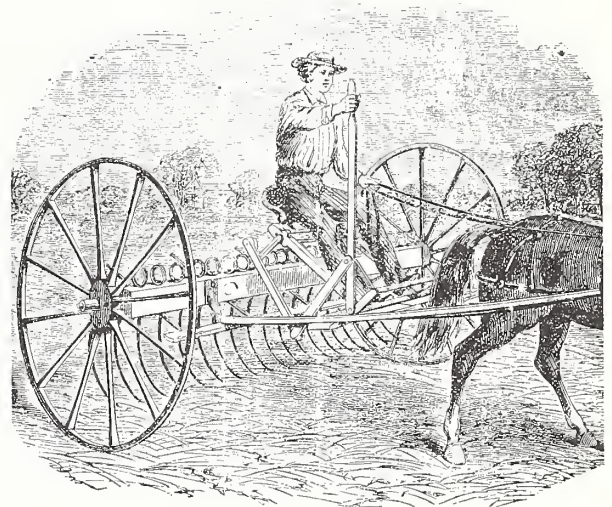
## COOPERATIVE EDUCATION PROGRAM - EEO CITATION



A cooperative education program involving students of Hispanic heritage from New Mexico Highlands University was singled out for praise during the annual awards ceremony of the Technical Information Systems. TIS is part of the Science and Education Administration. The program was cited with an equal employment opportunity award. William Yagodich accepted the award for his work as program coordinator. Begun five years ago, the program features rotational training of minority group students at the TIS facility in Beltsville, Md. Flanking Yagodich (above center, holding the award) are students in the program. From left, they are: Ruben Aragon, Ernestine Gurule, Carmella Aragon, Gloria Regensberg, and Germaine Lopez. At right is Gerald Sophar, who initiated the TIS program. On hand to present the award was Dr. Richard A. Farley (at podium) TIS administrator. (Photo courtesy U.S. Department of Agriculture).



(From *Berliner Beytrage zur Landwirtschaftswissenschaft* . . . , 1774-91)



("Self-Adjusting Horse Hay Rake" in *Working Farmer*, June 1, 1873)



## IN MEMORIAM: CHARLES E. KELLOGG (1902 - 1980)

Dr. Charles E. Kellogg, 77, retired head of the National Cooperative Soil Survey and distinguished international soil scientist, died in Hyattsville, Maryland, on March 9, 1980. Dr. Kellogg was former President and active member of the Associates of NAL as well as a strong supporter of the National Agricultural Library. Born August 2, 1902, in Palo, Ionia County, Michigan, he received the B.S. (1925) and Ph.D. (1929) degrees from Michigan State College. Later, he received honorary Doctor of Science degrees from the University of Gembloux, Belgium (1960), from North Dakota State University (1962), and from the University of Ghent, Belgium (1963).

Following two years of work with the Wisconsin Natural History Survey (1928-30), Dr. Kellogg accepted the post of professor (in charge) of soils at the North Dakota Agricultural College. During his four years at North Dakota, he attracted and trained a remarkable group of students and reactivated the State soil survey. He also initiated a system of agricultural land classification based on soil, geographic, and economic factors that was adopted by many county governments as a rational method of evaluating land for tax purposes.

Dr. Kellogg moved to Washington, D.C., in 1934 as a special assistant to the famed Dr. C.F. Marbut, Chief of the U.S. Soil Survey. When Dr. Marbut died while on a field trip in Manchuria, Dr. Kellogg was appointed Chief of the Soil Survey, a position he held under one title or another for more than 37 years. At the time of his retirement in 1971, he was deputy administrator for soil survey of the Soil Conservation Service, U.S. Department of Agriculture. Under his leadership, the Soil Survey grew from a few scattered field parties to an organization of more than 1,400 soil scientists working in all the States and three laboratories. He directed the continuous expansion of soil survey interpretations for farming and nonfarming uses and promoted the development of an entirely new soil classification system published under the title, *Soil Taxonomy: A Basic System of Soil Classification for Making and Interpreting Soil Surveys*. He wrote the first edition of the *Soil Survey Manual*, published in 1937, and directed the enlarged, revised 1951 edition, which has been widely adopted by soil survey organizations around the world.

Throughout his professional career, Dr. Kellogg devoted much of his skill and energy to the use of soil science to improve agriculture throughout the world. He was a former Vice President of the American Association for the Advancement of Science, and was 1941 President of the Soil Science Society of America. He had a keen interest in the International Society of Soil Science and, with the late Professor Edelman, played a large role in its revitalization after World War II. He was a Vice President of the Society from 1956 to 1960, and was a U.S. delegate to the 4th, 5th, 6th, 7th, 10th, and 11th International Congresses, spanning the period from 1935 to 1978. He also served as consultant to many foreign governments and international agencies and traveled extensively in 20 countries on four continents in carrying out scientific explorations and assistance projects. In 1945, he served with distinction as the Secretary of the Committee on Agriculture at the organizing conference of the Food and Agriculture Organization of the United Nations in Quebec City.

Dr. Kellogg felt strongly his responsibility as a scientist and administrator to share his ideas and discoveries with others. He published more than 170 papers on soils, land classification, geopolitics, agricultural development, and conservation. He was the author of seven books, including the tremendously popular text, *The Soils That Support Us*.

Dr. Kellogg was well known all over the world as a writer, speaker, and advisor in soil science. He was also an avid book collector, as many people know. His personal agricultural science library was extensive, and included many rare items. Perhaps less well known was his interest in James Joyce and writers influenced strongly by Joyce, especially Marcel Proust and Dorothy M. Richardson. He started his Joyce collection in 1930 with a pirated copy of *Ulysses* purchased in Baltimore. The collection now numbers hundreds of books and papers, including many of the sources used by Joyce in his writings. Close friends of Dr. Kellogg recall with pleasure evenings spent in his garden listening to him discuss, sometimes to quote, the work of his favorite author as he stroked his cat (named after a Joycean character) and puffed on his pipe.

Many honors were bestowed on Dr. Kellogg besides the Doctor of Science degrees mentioned above. He was a Fellow of the American Association for the Advancement of Science, the American Society of Agronomy, and the Soil Science Society of America. He was an honorary member of the International Society of Soil Science, the Royal Society of New Zealand, and the Indian Society of Soil Science. In 1950 he was presented the U.S. Department of Agriculture's highest award, the Distinguished Service Gold Medal. His alma mater, Michigan State University, granted him its Distinguished Service Award in 1955 and the Outstanding Alumni Award in 1963. He was a guest of the Academy of Sciences of the USSR for its Jubilee Anniversary Session in Moscow and Leningrad in 1945.

Dr. Kellogg was an inspired leader, a brilliant soil scientist, and a remarkably effective leader and administrator. He taught by example the importance of soil classification as a vehicle for technology transference. He showed the criticality of soil interpretations to the design of soil surveys. He taught the role of soil surveys as essential data for agricultural development. He extolled resource conservation not as preservation for its own sake, but as rational and prudent management of soil and water. He will be remembered and respected for his creativity in a broad range of soil-related activities, for his unswerving integrity, for his forward-looking leadership, and for his dedication to science in the service of humanity. His courage, his devotion to the Soil Survey, and his unfailing support of those who worked with him served as a model to his associates. His memory will be an inspiration to all those who worked with him.

Statement by William M. Johnson, Deputy Administrator for Technical Services, Soil and Conservation Service who was a former student of Dr. Kellogg's at North Dakota State University and succeeded him as Deputy Administrator for Soil Survey when Dr. Kellogg retired in 1971. (Editorial Note: Reprinted with slight revision by permission of the author, April 8, 1980).





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